

- I. OPENING**
  - A. Call to Order
  - B. Roll Call
  - C. Pledge of Allegiance
  - D. Announcement of Executive Session (if applicable)
  
- II. PUBLIC COMMENT PROCEDURE**
  
- III. PRESENTATIONS/HEARINGS**
  - A. Resolution #66-2012 – Honoring Resident Minnie Poulton’s 105<sup>th</sup> Birthday
  
- IV. DEVELOPER ITEMS**
  
- V. TOWNSHIP BUSINESS ITEMS**
  - A. Report on Landfill Concerns
  - B. IESI Permit Renewal Application Comments
  - C. Kingston Park Update
  - D. Update on Repairs to Old Mill Bridge
  
- VI. MISCELLANEOUS BUSINESS ITEMS**
  - A. Approval of September 19, 2012 Minutes
  
- VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS**
  
- VIII. COUNCIL & STAFF REPORTS**
  - A. Township Manager
  - B. Council/Jr. Council Member
  - C. Solicitor
  - D. Engineer
  - E. Planner
  
- IX. ADJOURNMENT**

Next EAC Meeting: October 9, 2012  
Next Saucon Valley Partnership: November 14 @ LST  
Next Zoning Hearing Board Meeting: October 15, 2012  
Next Council Meeting: October 17, 2012  
Next Planning Commission Meeting: October 25, 2012  
Next Park & Rec Meeting: November 5, 2012

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**I. OPENING**

**CALL TO ORDER:** The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, October 3, 2012 at 7:00 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Glenn Kern, President, presiding.

**ROLL CALL:** Present: Glenn Kern, President; Tom Maxfield, Vice President; Dave Willard, Ron Horiszny and Priscilla deLeon, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Linc Treadwell, Township Solicitor; Judy Stern-Goldstein, Township Planner; Dan Miller, Township Engineer.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)**

Mr. Kern said Council did not meet in Executive Session between our last meeting and this meeting.

**II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

Mr. Kern said if you are on the agenda, you have Council and Staff's undivided attention. We will address you thoroughly and completely at the end of each agenda item. We do open it up to the public for public comment. Tonight we are going to use a little stricter enforcement of Roberts Rules which means whoever is speaking has the courtesy of the floor. That person whoever is speaking has everyone's undivided attention and we are listening to what they say so we have a civil meeting tonight. There's no side talking; no interruption of that person; and no outbursts because that's how civil meetings are run. The gentlemen, Roberts, ran meetings during the Civil War and didn't like doing it as things got out of hand whenever he went around the country, so he initiated these rules of order and they are for a purpose. If you have a question for the consultants, direct the question to Council and the Council will then direct it to the consultants. The consultants will then direct the answer to Council. Do not outburst your comment. We're going to address the individual concerns individually. We're going to have our consultants respond. We'll give IESI and DEP an opportunity to respond, and then we'll open it up to the public. If you are here for a non-agenda item, that would fall under Item VII. Public Comment/Non-Agenda Items. That would be your opportunity to speak at that point. If you do speak, we ask that you use the microphones as the minutes are transcribed verbatim and we want to make sure we get every word and please state your name for the record for the transcriptionist.

**III. PRESENTATION/HEARINGS**

**A. RESOLUTION #66-2012 – HONORING RESIDENT MINNIE POULTON'S 105<sup>TH</sup> BIRTHDAY**

Mr. Kern said Resolution #66-2012 has been prepared honoring Township resident Minnie Poulton on her 105<sup>th</sup> birthday.

**PROCLAMATION HONORING MINNIE (HAFNER) POULTON UPON  
REACHING 105 YEARS OF AGE**

**WHEREAS**, Minnie Poulton, who was born on September 27, 1907, has been a long-time resident of Lower Saucon Township; and

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**WHEREAS**, when Minnie was attending Broughal High School in Southside Bethlehem she was run over by a car on Wyandotte Hill, during a time when there were very few cars on the roads; and

**WHEREAS**, Minnie's worked most of her life in local silk and dress mills; and

**WHEREAS**, Minnie was married to Harold C. Poulton when she was 22 years old and they were married for 59 years before Harold passed away shortly before their 60<sup>th</sup> anniversary; and

**WHEREAS**, Minnie and Harold have a daughter, Joan, born in 1930 and a son, Harold E., born in 1942; and

**WHEREAS**, Minnie, who is now a resident of the Mary Ellen Convalescent Home, likes to recite poems and stories, including a Christmas story and the story of the landing of the Pilgrims; and

**WHEREAS**, Minnie always enjoyed traveling to visit her 6 grandchildren, 15 great-grandchildren and 2 great-great-grandchildren.

**MOTION BY:** Mr. Horiszny moved for approval of Resolution #66-2012.

**SECOND BY:** Mrs. deLeon

Mr. Kern asked if anyone had any comments. No one raised their hand.

**ROLL CALL:** 5-0

**IV. DEVELOPER ITEMS – None**

**V. TOWNSHIP BUSINESS ITEMS**

**A. REPORT ON LANDFILL CONCERNS**

Mr. Kern said the Township Landfill Consultants, representatives from PA DEP and from the IESI Bethlehem Landfill will respond to the list of health, safety and welfare concerns that have been expressed to Council and the Planning Commission by residents regarding the operation of the landfill.

Councilmen Maxfield several meetings ago suggested this as a course of action, and that's why we're here tonight. The purpose of tonight is to separate fact from fiction and see what the main concerns are.

Mr. Birdsall introduced everyone around the table. Present were:

- Bill Tomayko, who is with DEP. He's in charge of the waste management division of the party. They oversee the regulations and permitting of landfills. Jeff Spade is also present who is an employee of his at DEP.
- Laressa McNemar, Special Landfill Consultant to LST regarding all aspects of the operation.
- Rich Sichler, Geologist and Special Consultant to LST for primarily the groundwater aspects, the monitoring and geology.
- Jim Birdsall, Township Engineer representative who coordinates consultant reviews and watches over site planning.
- Christopher Taylor, Host Municipal Inspector to the landfill.
- MaryAnn Garber, ISEI Counsel.
- Sam Donato, District Manager at IESI.
- Al Schleyer, Plant Manager from the landfill.
- Rick Bodner, Engineer from Martin & Martin to the landfill.

Mr. Birdsall said anticipating this meeting and reviewing the questions of the consultant group for the Township, the group decided it would be most efficient to break the questions into subject

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matter. We'd like to cover the following areas and there will always be room for questions in the end:

- Stormwater management and Mr. Birdsall will take care of that presentation.
- Landfill construction concerns and Laressa will be handling that.
- Air quality and gas management concerns and Laressa will be handling that.
- Groundwater quality concerns and that would be Rich Sichler.
- Ongoing role of residents, IESI, the Township and the State on various subjects. Mr. Birdsall will try to handle most of those.
- Time for additional questions.
- There may be some issues where they will refer to Chris Taylor who is the HMI for the Township on the site on a regular basis.

Mr. Birdsall said he will start on stormwater management, to give a little background for those folks who may not be familiar with how a landfill was designed. The stormwater management aspect of the landfill is very much regulated by a various State laws and overseen by the Department of Environmental Protection (DEP) directly from the Wilkes-Barre office. Some of the projects are handled from an erosion standpoint by the County Conservation District. The County Conservation District is not really involved when the State is involved in a landfill of this nature, but the landfill still must receive approvals from the State, the Township for stormwater management and also from the Lehigh Valley Planning Commission (LVPC) for stormwater aspects of the plan. Stormwater management at the landfill is designed back at the early stages. The biggest issue we want to explain this evening is that anything that falls on the open landfill where there's garbage being placed, any rain or snow that falls in the landfill, is kept within that landfill with a fabric liner underneath the landfill and Laressa will explain the liner. It's like a cup where any rain that falls into that cup, stays in that cup. Anything outside that cup may run off. It may run off during the construction of some of the access roads and areas that aren't landfill. As the landfill gets completed and capped, the runoff from the ground on top of the landfill will go back into the normal channels of stormwater runoff. There are two modes of rain. One is into the middle of the landfill and it's caught into the cup; and the other rain falls off and goes into the normal water courses where it gets reabsorbed into the ground. For that rain that leaves the site, that's regulated also. It goes through detention and control basins before it leaves the site so that it's actually regulated through a series of orifices before it leaves the site. That basin configuration and the orifices and the management of that water, not only regulates rain, but the basins are designed to allow some sediment to drop out because there may be soil particles that come off the side slopes when the basins are too full. There have been some complaints about muddy water leaving the site. We have observed that condition and we do know that it happens for the most part as the water is actually pretty clear of sediment that leaves the site, especially when it's not heavy. There are incidents and times when it does leave the site and what they have observed is a little milkiness in the water, and some of the discharge points which indicates suspended sediment leaving the site. No worse than a normal construction activity and we believe the sediment basins are working properly and discharging at a rate that is acceptable and a quality that is acceptable. By physical observation, we did not detect any smell or odor or any color. There was color raised by some of the citizens. We did not detect a color that is anything different than the milkiness resulting from sediment. That doesn't mean we saw what they saw. There may have been an incident in any of these cases of a citizen claim. There may be a situation where an incident would occur. We have not observed anything like that which would indicate a polluted runoff leaving the site.

Mr. Birdsall said with regard to the next item of concern, whether or not the stormwaters are affecting well water quality. He'll address a little bit of that and then will ask Rich Sichler to also address that question as he's more familiar with groundwater contamination. The rain that falls in the cup doesn't leave, so it doesn't contaminate underground water. The water that leaves and goes into a basin, some of that may get absorbed into the ground, but to the greatest degree, that water

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runs off the site and there is possibly some re-absorption along the channel creek, but it would be normal stormwater runoff and not be anything that would carry a pollutant from the landfill, so he doesn't believe there would be a reasonable expectation that there would be pollution from that rainwater. The basins are designed to drain within twenty-four hours although some basins hold water. He will ask that we defer the mosquito question until IESI has a chance to respond. He doesn't know how they manage the situation in basins that may hold water more than twenty-four hours.

Mr. Birdsall said with regard to another concern that was a concern of runoff causing a two foot ponding in a person's backyard. We did look at the maps to see where that person is located. That person is located in Steel City and we looked at the topography and all the contours and the landfill operations. We do not believe there is any runoff from the landfill either from any part of the landfill site reaching Steel City. We do not believe that the two feet of water was a result of any runoff from the landfill.

Mr. Birdsall said with regard to locating ponds underneath PPL power lines, we could not find any regulation or requirement that would prohibit that. Certainly there are private easements that PPL has with the landfill people and they have to respect those easement provisions, but we did not see anything from a regulatory standpoint that would prohibit a basin being put underneath a power line.

Mr. Birdsall said with regard to storm events that have happened recently, with excess water running out to Applebutter Road and a failure of a swale on the landfill site, we had asked the IESI people to remediate this. They did remediate it right away with emergency cleanups and rebuilding of the swale that failed, but also on a little big longer term, we've asked them to recheck the as-built condition of that swale. It was a finished section of the landfill. It wasn't an operational section of the landfill, and check to make sure it was built according to the design plans. If it was, we know the design plans accommodate a 25 year storm. That particular rainfall even hour or hour and a half, may have been exceeding 25 year storm event, so there may have been an overflow just because of a storm exceeding a storm design event. Downstream from most of the swales, there is a basin. The basins are designed for a 100 year storm, so they are designed to a higher level of content. This runoff condition, he doesn't know if there was any basin, he thinks the failure of the swale didn't allow the water to get into the basin. It was a combination of that situation. We've asked for a full report from IESI on their repair and as-built condition and if they intend to do anything to remediate or reduce the risk of that happening again.

Mr. Birdsall said with regard to a more recent complaint today on the north side with yesterday's storm, the Township did have their Public Works Director go out to the site and the Public Works Director did not see any damage that might have resulted from the storm yesterday along Riverside Drive. There are a couple of culverts along Riverside Drive that do carry water from the mountain and some of the land of the landfill does slope that way, but based upon the observation today, it didn't look like there was anything unusual. It had happened over the last two days at that site. That was the site where many years ago, the storm Ivan overtopped and blew out a basin at the top of the hill. That basin was in for 10 or 15 years and could have caused a bit of washout damage on Riverside. That's not the case at this point in time.

Mr. Kern said he'd like to ask DEP if there anything you'd like to add to Mr. Birdsall's comments? Mr. Tomayko said from what he heard and from what he knows, it was an accurate presentation. We believe the landfill has been properly designed for managing stormwater and controls have been constructed and they function. There have been a few abnormal storm events and the problems were addressed immediately by the landfill.

Mr. Kern asked IESI if they would care to respond to any of the comments? Mr. Bodner said they think it's designed and operating properly. One thing he'll point out is the solid waste regulations.

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(**Could not hear Mr. Bodner**), so for that reason you do see water in basins beyond the normal 24-hour period. It's just a function of the solid waste regulations.

Mr. Kern said there was a question about mosquito control. Mr. Donato said currently we have not encountered any mosquitoes, so it's difficult to comment on.

Mr. Kern opened it up to the audience and asked if they had any concerns about stormwater issues or rain water or any issues they'd like to discuss?

Mr. Matt McClarin said he'd like to know how DEP handles it when there are accidents and if IESI is responsible when Riverside Drive washed out. Were they fined when Applebutter Road was covered with mud and caused a lot of people a lot of headaches trying to drive by. Were they fined for that? Mr. Tomayko said no, they weren't fined. It's our understanding, at this point, that the storm was so severe is, it was beyond what the regulations require them to manage, but what the regulations do require, the operator to respond when they do have a failure that the storm runoff is of such a volume that it overtops the control, the ditch, and causes a flood, and in this case, the situation was that gravel and stone and dirt and mud washed out onto the public road of Applebutter Road. They were responsible for cleaning it up. They took prompt action to do that so he doesn't see where there was a violation. Typically you have to have violations before you can get into fines.

Mr. Russ Sutton, 2131 Saucon Avenue, said he did some research and found the violation details for inspection ID on the internet for IESI. The one was violation ID 629761 on January 12, 2012 and it says polluting substance allowed to discharge into the waters of the Commonwealth. This was one. There was another one further back in 2006, a potential for polluting substance into the waters of the Commonwealth, and may require a permit. There was another one in 2006. There was one in 2005 where industrial waste was discharged with no permit. He's curious as it says violation type, and says environmental health and safety, but it doesn't say any enforcement date on it. What's the purpose of this and what is your agency have to do with these reports? Mr. Tomayko said he doesn't know what you are talking about.

Mr. Schleyer said the one report is dated January 12, 2012, and that was a leachate cleanup and the end result was because of hydraulic pressure it popped the cap off and leachate came out of the cleanout pipe and didn't make it to the basin no. 4. This was reported to the department. They sealed it up and they sent a representative out and it was inspected that day and he inspected what they did, and they brought a pump company in and pumped the basin out where it was treated at the Bethlehem Wastewater Treatment Center. The violation was due to an impact and the basin at that time was still discharging. It was not a NOV of the department. Mr. Sutton said he was just curious as to what it was. Someone said they sampled the basin and sent the information into the Department as well as the Township. Mr. Donato said it's not a report they would get from a regulatory agency. (**Could not hear Mr. Donato**).

Mr. Tomayko said it appears to be printouts. Sam uses this term, eFacts. It's a computer system and it's an acronym for environmental information that the department collects that we put into a public accessible database that shows inspections of a facility we regulate such as IESI landfill. It talks about the results of those inspections, the date it was performed, and if we filed any violations, it will identify it. What this appears to be is that somebody has accessed the database from the internet and they printed out four pages that references specific dates in the past of when the department did an inspection and found the violation. All of them seem to address some type of discharge of polluting substance to the waters of the Commonwealth which just basically means they had a release of some type of contaminated water. The details don't get into the specifics about what was the nature of the problem. We would have to actually go to the inspection report to find out what was the nature of the problem. Some of these go back to 2005 and he doesn't have that information, but that's what these documents are. Mr. Kern said how would you categorize the

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seriousness of a release like that on a scale of 1 to 10, 10 being red alert, 1 being no big deal. Mr. Tomayko said he doesn't know if he can specifically address it, but his recollection in the past decade of overseeing the operation of the landfill, he's not aware of any significant water pollution discharge event that affected public health or public safety. We have regulations that impose limits for discharge with volume and characteristics and if they exceed those limits, that would be a violation, but at the same time, it may not represent a public health or public safety type of issue that exceeded the permit so perhaps that what has occurred and they were found to be in violations on those days, but he's not aware of any kind of major or significant health and safety problem.

Mr. Gene Boyer said he'd like to make one request and that if the people from IESI talk, they state their name first for the people in the back so we know who it is as we can't see them and the girl who is doing the transcribing may know who they are. He said we had this problem that we had debris run across Applebutter Road for that one rain storm. He was wondering if DEP went out there to inspect after it was cleaned up from IESI because it was taken care of almost the same day? Mr. Tomayko said it is his understanding they have been out there to inspect it and it was after the incident was cleaned up. Mrs. deLeon said it happened on a Saturday. Mr. Boyer said he had a neighbor who called him and he works for PPL, so they went out there on Sunday. He has pictures of some debris across the road like plastic containers. He doesn't know what the level of problem is that alerts DEP. Granted, it's not like a flood of debris, but you could see where the sediment washed across the road, what level or how much is really a problem for them? Mr. Tomayko said it's his understanding with this incident that the level or concern of the problem that was brought to their attention was the impact to the roadway and its possibility. He was not informed or has not been informed of any kind of property loss or structural problems or flooding and the issue that's been brought to his attention was debris on Applebutter Road and what they have observed is IESI has taken action to remove the debris to make the road safe to pass and to use. There was some debris, gravel and dirt on an adjacent property that's not developed and we didn't feel there was any harm there. Mr. Donato said just a follow-up. When their crews completed the project of the weekend, they were back out there on Monday morning removing any additional silt and sedimentation and/or debris.

Mrs. deLeon said she got an email today from a resident seeing runoff on the Narrows and the Township did respond by going out there. Thank you for the quick response. She sent Allen an email asking if there were any problems up at the site, up above the Narrows or anywhere on the site, and he didn't respond back. Was there any issues today? Mr. Schleyer said he did respond to Jack. Mrs. deLeon said she sent you the email. Mr. Schleyer said he was out at the site for awhile working on other issues, and when he went back to the issue he had a lot of emails. He did follow up and the road was in good shape. He did observe some water going down the hillside on the north slope of the hill. The roads were passable and there was not anything from the landfill side. Mrs. deLeon said what about up by the water tank going down towards the Hill Climb or the entrance to the Narrows. Mr. Schleyer said he checked all the silt fences they have, about 400', and that was all intact and functioning as it was supposed to. Mrs. deLeon said you have to understand, and thank you Bill for coming tonight. It's bad enough when you have runoff coming down off of a mountain and there's a landfill up there and the residents are concerned, but also as a Steel City resident, we're also concerned because Ivan closed the Narrows for a long time and we had to meet repeatedly with PennDOT to get them to open the Narrows, so we do not want to see that repeat itself as we might not be so lucky the next time and have PennDOT open it. When a lot of water is coming down that mountain, and hits Riverside Drive, we need to be concerned. Ms. Garber said the Township did send out personnel to inspect the situation. Mrs. deLeon said carbon copy is an option too.

Matt McClarin said if Ivan did cause that problem with Riverside Drive, was there anything to improve the basins on top of the mountain to hold maybe a little bit bigger of a storm back or did you just put it back to the same way it was or leave it intact? How was that handled as we've had quite a lot of significant storms over and over again and if your basing it on the storms we had,

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we're going to have a lot more. He wants to make sure any water being held at the top of that mountain is held back good enough that it's not going to wash the road out again for access for the residents. Mr. Birdsall said what is now implemented was generated by that storm and that is a system of storm drainage that changes significantly what the pattern of storm drainage was when the plan was first approved. It directs water to the south as opposed to allow it to go to the north. There's a long swale along the entire ridge that carries water around from the north to the east then back to the south and then on the west side, we're all aware of the large mechanically stabilized earth wall that is helping to direct that water to the south where it used to go to the north. The likelihood of that reoccurring is greatly reduced.

Mrs. deLeon said is this the appropriate time for her to show pictures of the wall? It's the MSE wall and important for people to see the concept of it. Mr. Horiszny said isn't it true also that the basin that overflowed at Ivan is no longer there? Mr. Birdsall said the one basin is no longer there as the water is being directed to the south. There were two other basins built by the City of Bethlehem; one in the center more to east of center and over in the northeast corner. Both of those failed during Ivan and both have been repaired and they are inspected regularly and they actually take water because of the long diversion swale. Mr. Maxfield said the blowout on Riverside Drive that we had to discuss with PennDOT, was that traced back to the landfill property? Mr. Birdsall said it's the whole side of the mountain. Did the landfill help repair it? He thinks they actually did spend money and helped repair it. There was some water coming from the landfill and even prior to that, there had been another runoff event that was pretty drastic and damaging to Riverside. He doesn't remember the year, but he thinks it was when the City owned it. They tried to cover the landfill with some sledge, a manufactured earth to put the seeding and stabilization on one of the sections and while they were doing it, a heavy rainstorm came and all this kind of special fertilized soil came down the hill and it was a big muddy mess.

Mr. Maxfield said just to summarize, the water that comes down off the North Slope currently, especially like in a big storm we had, that amount of water is the product of the entire mountainside is what you are saying. IESI is a part of that. Mr. Birdsall said that's correct. Mr. Maxfield said how big of a part is it? Just as a guess? Mr. Birdsall said as a guess, before they made these improvements to divert the water to the south, he would say maybe the landfill was 25% of the watershed area. Now it's probably down to 10% or even 5% of the watershed area. The area we are talking about maybe only has 5% to 7% of its water coming from the fringes of the landfill that are now left beyond the swale, north of the swale. Mr. Donato said he agrees with Mr. Birdsall's assessment. It's probably less than 5%, less or minus. Mr. Maxfield said what he was trying to get at was that people who are experiencing stormwater problems at the bottom of the North Slope now even if the landfill doesn't expand or whatever, will continue to suffer those types of problems, but the mountain is largely the cause of it rather than the landfill. If you are saying 5% or 10%, most of that water is coming off the mountain itself. His understanding was from way back when Riverside Drive closed, the engineers and everyone who looked at the situation were able to trace it back to landfill activity. That's what he was told. He just wanted to clear that whole thing up. Mrs. deLeon said she was personally up there after Ivan and you could see old garbage in the old landfill and you could just see the thing ran down the side of the mountain, so she would disagree. Mr. Maxfield said then you are disagreeing with engineers who examined the problem. Mrs. deLeon said she was up there. Last fall when we had that Halloween event storm, she took these pictures. You can see here's the MSE wall and here's the western part of the landfill. Here's where Lehigh River would be going to the east. This wall is mechanical stabilized wall. They are filling garbage in there. There's a road and a lot of trees that were cut. PPL cut the trees for their easement. A lot of you don't know what an MSE wall is so she tried showing the picture to show that this is definitely a slope going down the mountain. Here's the same road. Here's going west and you can see how it's pitched down. She doesn't have pictures of the one corner where the water tank is. When they were up at the landfill, they definitely saw the silt fence needed to be repaired because of debris gathering in it.

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Mr. Kern said the purpose of the MSE wall is what? Mr. Birdsall said is to change the configuration of the top of the final closed landfill to direct as much water to the south as possible. Mrs. deLeon said but not all of it. Mr. Birdsall said not all of it. Mrs. deLeon said and the rest of it goes down the North Slope. It's more than 5%, and she's been known to disagree with experts. Mr. Maxfield said those are the kinds of statements he really wants to get away from tonight. He doesn't know what you are basing that assessment on, but we have experts sitting here in front of us. That's who he wants to hear from. That's who he wants to hear the numbers from. Mrs. deLeon said she wants to hear from herself because she was elected to voice her comments and concerns and that's what she's doing and you can't take that away from her. Mr. Maxfield said you can't put a number on your feelings. Mrs. deLeon said whatever, I'll say what I want. Mr. Maxfield said "I guess", but he wants to hear it from the experts. That's why we assembled the people here.

Mr. Bob Wells, 2134 Saucon Avenue, said the photographs were a little unclear, so he just wanted to verify what he was seeing. The purpose of the mechanical stabilized wall is to basically be between the south side and the north side, it runs along the ridge east and west. Does that wall run east and west along the top of the ridge and the purpose of that wall is to keep runoff from going south and not north? Mr. Birdsall said that is correct. Mr. Wells said after that wall was put there, is that accurate that it was backfilled with what? Mr. Birdsall said with earth for quite an extent, 50' or 60' or more, but then beyond that to the south there are cells that will be filled with garbage or will be filled with garbage. Mrs. deLeon said you have to remember that wall doesn't go from end to end of the landfill, so eventually it's just a slope, there's no wall there, and that's what she was trying to show in the pictures, but she's not the expert photographer.

Matt McClarin said he'd like to know if DEP actually has calculations for water runoff going down both sides and if they regulate that often? What's their stance on changing something above the flood zone and if they took the flood zone into account at all? He knows LST has a real stringent flood plain management plan and he wanted to see if LST had any involvement in that or DEP somehow came up with the numbers? Mr. Kern said your question is about who monitors the amount of water? Mr. McClarin said yes, and how they come up with the calculations and if DEP does that, the landfill or LST? Mr. Tomayko said the regulations in PA requires an operator of landfill to put together an application and the application has to be prepared by professional engineers and it needs to have study of the watershed, maps of the watershed area, following standard engineering practices for designing the quantity of water that will be impacted by the land area that they are going to be disturbing. What we already said here tonight is that IESI is a permitted landfill. It's gone through that process of designing all their stormwater controls. Those controls have been constructed according to the approved permit and according to the regulations. They are inspected as part of DEP's routine type of inspection process. A lot of times when they construct a ditch or a swale, it's a onetime event so it's a permanent structure on the land surface. It's not being changed from day-to-day, week-to-week or even year-to-year. It's constructed and it's permanent. We usually inspect these types of structures when they are being constructed because it's the most critical time in the life of the structure when it needs to be inspected. Nonetheless, the water is conveyed to the storm water retention ponds we talked about. Those ponds have permits from discharge of the water as far as its quality and quantity. IESI is required to report on that type of information and they do. Mr. McClarin said IESI's engineers design it and then you approve it? Mr. Tomayko said correct. Mr. Maxfield said it's also examined by Township Engineers for proper design. Mr. McClarin said did the Township take into consideration the flood plain at the bottom of the hill and adding water to it when the MSE wall was built or how it's configured up there now with the trails going down the North Slope like that? Mr. Tomayko said one of the standards for the regulations in the State of PA is when you develop land and disturb it, you cannot increase the flow from pre-existing conditions so part of the whole design of the landfill with all the ditches and the ponds, the ditches convey the water to the ponds. One of the names they give and use for the ponds is retention so they retain the water so it's not increasing the amount of flow downstream into a floodplain. Mr. McClarin said he's talking about

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on top of the mountain, next to west of the wall, where you got your service roads coming from behind and then you have the hill that goes along the top of the mountain that's pitching down the North Slope. That's what he is talking about. He knows there's something in there if you're constructing something, it doesn't have to pertain to, it's not a permanent structure. That's the water he's talking about. He's not talking about the water that goes down the South Slope or goes into the ponds or anything else. He's talking about the water that comes on the service road and the hill next to the wall. Was that ever calculated how much water comes off of that? Mrs. deLeon said it was in the picture she showed. It's the slope. Mr. McClarin said that's what he's talking about. Was that ever taken into calculations? Mr. Rick Bodner said absolutely. Go back to what Mr. Birdsall said, the pre-MSE wall condition had a larger watershed draining to the north, to the Lehigh River; then drains down the North Slope, post MSE wall. There was more acreage draining north prior to the MSE wall than there is now. Mr. McClarin said he's talking about to the west of the wall, where it stops. Mr. Bodner said the MSE wall has permitted, as compared to Pricilla's photo which showed steps of the wall. That wall is not done. That section is done, but that wall is going to be continued to the west past and then put south below the water tank. Yes, all of that watershed is cut off by the MSE design. As Jim also said, there's a large ditch that's cut off a substantial amount of north flowing water and drains that water to the south. The Township staff reviewed them also for the watershed thing. Mr. McClarin said he's talking about as condition right now. You got water that's running down the North Slope and the walls not there yet. Mr. Bodner said yes, you do, and you have more going down the North Slope, pre-MSE wall than you do now. Mr. McClarin said not to the west. Mr. Bodner said the entire watershed that drains to the north is less today than it was three years ago. It will be even more reduced and less still when the MSE is continued to the west. Today there is less acreage draining north than there was three years ago. Mr. McClarin said not to the west. You guys put that pile on top of the mountain; he knows you put it there, to the west of the wall. Is the wall going to continue right now past the cell or is that part of your expansion? Mr. Bodner said it is not part of the expansion, it's part of what's now. Mr. McClarin said does DEP take into consideration any of property value impacts with a quarter of a mile within their site and seeing landfill activities from people's homes? Does DEP take into consideration property values around the landfill when they construct something that can be seen from people's home? Mr. Maxfield said the visual aspect of seeing? Mr. Birdsall said that will be covered under a separate topic.

Mr. Boyer said he just wants to clarify at what Matt was getting at, and that was, this wall is not finished and it will be better when it is completed. He's assuming there was a permit or requirement for them to put this up and if so, what's the deadline for it to be finished? Mr. Bodner said there was no requirement. There was a permit which was IESI of Bethlehem Landfill's desire to put up the wall to cut off drainage to the north. The design was reviewed by the Township and the Department and approved. He doesn't think here's a timing requirement in the permit. There's a timing from their standpoint, they will be building more of the wall as they are filling the current cells so we have more cells than we can fill. Mr. Boyer said this is in front of the Phase IV section where you are currently filling or working on? Mr. Bodner said the remaining wall to be built? Mr. Boyer said yes. Mr. Bodner said it is the far north side of the current Phase IV cells where they are working now. Mr. Boyer said he thought it was more to the east where the wall was. You're saying where the wall exists now, it's going to continue to grow and expand to the west along the north side? Mr. Bodner said yes. That would start at the maintenance building and goes over towards the water tank, not quite to the water tank yet, but it will ultimately be at the water tank. Mr. Boyer said Jim brought up about well water. He was with his neighbor a month ago and Sam came over with a gentleman and they were kind enough as he was concerned about the quality of his well and they did a testing. The last time he spoke to his neighbor, he hadn't gotten the results back and he was wondering if IESI ever got the result back from the well test. Mr. Schleyer said they got some basic preliminary tests back from the lab and they are waiting for the final report. Mr. Boyer said was it positive or negative? Mr. Schleyer said from everything they saw, the drinking water was within drinking limits.

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Mr. Russ Sutton, 2133 Saucon Avenue, said does the DPA with current sites, are they required to have a retaining wall or moat around a site? He knows the new site, isn't there supposed to be a 6' retaining wall around the bottom of that site? He did observe that site. There's a street in front of it but no retaining wall where the new liner is. Is there going to be a retaining wall there? Aren't you required by DEP for the new site to have a retaining wall there? Mr. Tomayko said as he understands the term retaining wall, there's no requirement and perhaps he has a misunderstanding, but there's no regulatory standard for retaining wall or some type of barrier around the landfill. They are required to have fence and security, not a retaining wall. Mr. Sutton said not a retaining wall, but a Township berm around the bottom. Mr. Maxfield said like a landscaping berm you are talking about? Mr. Birdsall said under the current zoning ordinance, if they came in today to get a permit, from scratch, they would need a earthen berm. He doesn't recall how high it has to be or how wide it has to be, but he remembers that the ordinance now that is in effect would require landscaping and a berm. Mr. Sutton said at present, there's nothing there. This landfill is at least 700' or 800' high. It's much higher than the highest point of the pre-existing mountain. That increases the surface area of that whole area and to him, it makes more sense there would be more runoff, not less. The retaining wall on the back side does cover that side, but you are saying you are planning on extending that to the west? Mr. Bodner said that's correct. Mr. Sutton said as far as any kind of detention wall around the whole landfill, just the new landfill part is supposed to have a berm around that? Mr. Bodner said there is no new landfill. We're here talking about the existing landfill. Mr. Sutton the existing one doesn't require it, but the new liner you put in that area will require a berm put around it? Mr. Birdsall said everything that is being done right now is under the old plan approval and under the old ordinance, so they are not required to put up any berm for their existing operations. Mr. Sutton said for the new one they are? Mr. Birdsall said there is no new operation. They opened new cells under the old permit, but there's nothing they ever seen that shows a landfill expansion.

Mr. Richard Weichert said he was wondering about this earth you are packing up on the north side. With all this rainfall we are having, could there be a mudslide from that? You got these homes out in California, there was just one out in Massachusetts that have mountains being there for years and these mountains are being washed down. You are packing earth up there. Could this possibly happen? Mr. Bodner said no. Mr. Weichert said if we had a blowout on the south side, what is this blow out thing, was it not a mudslide? Mr. Bodner said that was not an earth mudslide. There's a huge difference in geology and earth between what we have here on the east coast and the soils and poorly consolidated rock in the west. If you driven along the highways of the west coast, their geology and soil types are nothing like we have on the east coast. Mr. Weichert said what holds that packed earth that you guys are putting up there? Mr. Bodner said it's an MSE wall. It is reinforced with high density polyethylene lathe. It's designed so there won't be a mudslide. It's a mechanically engineered stabilized wall.

Mr. Bob Wells said as the wall is extended to the west, and there is a backfill in the back of that wall, is that backfill higher than the original elevation of the soil that existed there previously or is that wall built down so that backfill is to the original elevation that was there prior to the building of the wall? Mr. Bodner said he's not sure. Mr. Wells said there's some concern of the residents that the elevation or the topography ends up being higher after cells are filled in the existing landfill and that elevation may have been before that the cells were filled. He's looking at a wall in his mind and seeing that backfill and then he's seeing a cell behind that backfill and he's trying to answer the question in his mind, are we raising the altitude of the existing land beyond and above where it was before we put the wall there? Mr. Bodner said yes. Mr. Maxfield said just to clear up some information here and he wondered this himself. We had a number kicked around 725 as a final height of the landfill. What was the number or how many feet high the original mountain was or what did it start out as? What is it really being raised to? Mr. Bodner said he doesn't know. He'd have to go back and look at a map to see what was the top elevation. Mr. Maxfield said not going back to 1945, but the highest point that area, what was the top elevation, generally? Mr. Bodner said let's look at the water tank. The water tank is presumably high in elevation. He thinks

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that's the ground that the base of the water tank is plus or minus 680' above sea level that may be off but it may be in that range. The permitted top elevation of Bethlehem landfill is 725'. Mr. Maxfield said the tank may not be at the peak of the mountain. Mr. Bodner said it may not be. Mr. Maxfield said you are talking 40' to 45' possibly from one to the other. Mr. Bodner said yes.

Mr. Boyer said is it possible that anybody here in the official group has a copy of the Host Agreement that was for the landfill when it was generated? The reason for the question is he brought up the fact that on the very first page, at one of the last Council meetings a berm that was supposed to be in the Host Agreement. Jim Birdsall explained he felt there was a grandfather clause that the berm would not necessarily be part of there. He read the Host Agreement. A few pages in the Host Agreement, it does state that on Phase IV there would be a berm around Phase IV. It didn't say anything about going back around the whole thing, but it did state in there, and he doesn't know if anybody else here other than Jim when he counteracted when Russ said something that it's not necessary as it was grandfathered. He didn't read a grandfather clause. He read a clause that there was to be a berm around Phase IV. Attorney Treadwell said he thinks that's in the Host Agreement amendment. It was adopted back in 2001, somewhere around the time the landfill got its Phase IV approved. You read at one of the previous meetings, the whereas clause, later on in the agreement it talks about the requirement for a berm being satisfied by the plans that were approved during that approval process. Mr. Boyer said which was the berm? Attorney Treadwell said no, the plans showed a natural type contour that at the time the Township agreed satisfied the berm requirement, so there's no new berm construction required.

Mr. Dan O'Loughlin, 4235 Lewis Avenue, said he came in a little bit late. What is the purpose of this meeting right now? Mr. Kern said the purpose of the meeting is to discuss concerns about the IESI landfill? Mr. O'Loughlin said as it is now? Mr. Kern said any concerns. Mr. O'Loughlin said he wants to make everybody here the effects this landfill has had in the past and still has right now. He knows people who lived near the landfill and had to move as their daughter was having miscarriages. When she moved, the next child she had was autistic. She just recently had another child and the child is perfectly normal, so he thinks part of the problem is they were so close to the landfill. He used to fish Saucon River that flows behind the sewer plant and he was catching large 14" to 18" brown trout there. There's no trout there no more. Between the runoff from the landfill and the runoff from Commerce Avenue, the water has changed there. Isn't trout a major concern for DEP? If someone puts in a huge black-top parking lot, are they allowed to dump the run-off water into a trout stream? Does that change the degree temperature of the water by even 10 degrees and then there's no more trout. Mr. Tomayko said he doesn't know how this relates to the landfill so he can't address the question. If there's a fish kill or they are talking about killing trout, DEP would be called in, but so would the PA Fish Commission. Other than that, he doesn't know what to say. Ms. Garber said if there were to be a discharge, that would require a permit and there are factors that are taken into consideration and there are limits to avoid things like that. Mrs. deLeon said she remembers when Calpine or Conectiv was permitted, we were concerned about the temperature of the discharge they were putting in the creek because of the fish kill. Supposedly, they met it and like Ms. Garber said, it's part of the permitting process so all of the different agencies get notified and respond. That's upsetting to her. Mr. O'Loughlin said it's very upsetting, they are not there anymore; they are gone. Also regarding the deer, his sister-in-law built the house about 3,000 yards from the landfill and that's where they are at the top of the mountain. The deer were constantly walking through the area. He hasn't seen a deer in three years near his property. This is another environmental impact. Then they are talking about expanding it, what are we going to expect next. He's really concerned about this, especially since he has five grandchildren who are living with them. He wants you to take that into consideration. Mr. Maxfield said your earlier point one, is one of the concerns listed and we will be discussing tonight. That was the health issues.

Mr. Kern asked our consultants if they ever heard any reports in the past of any issues with fish kills or any type of issues with the river as far as relating to any stormwater release or pollution?

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Mr. Birdsall said no. Mr. Maxfield said he can tell you from talking to people at County Conservation and some State agencies, there is one section of the Saucon Creek that is considered high quality where trout breed and that is close to Saucon Park. The other areas are considered to be of high quality, not of exceptional quality, not as high as that. He hasn't heard any designations for those other areas as far as fish breeding.

Ms. Nicolette Stavrovsky said she did come in late, but she's sure it has been brought up about the smell. They live a mile and a tenth in from the Freemansburg Bridge. We don't even smell the sewage plant, but they smell the dump. She just doesn't understand that. Mr. Kern said they will be addressing that later.

Ernest Stavrovsky said if you would have an expansion, he's sure you have in the permits, you would probably have allowances for the leachate and stuff, and he knows it's very toxic. Are there plans for a treatment plant, a preliminary plant there or just a holding tank? He knows a couple of times the pump station down below in the City of Bethlehem has had a lot of problems because of the leachate coming in there and having to go in, and if you had to work on the pumps down there, it's just so bad, you are going in with Scott air packs and everything else. Are there provisions for that? Mr. Kern said Mr. Tomayko will go over the leachate requirements for existing and any potential future. Mr. Tomayko said leachate is the waste water that comes out of the garbage. From the landfill, it's collected through a designed collection system routed to storage tanks and the landfill has a permit to discharge that leachate to the public sewer lines that convey it to the City of Bethlehem treatment plant at the end of Applebutter Road. That's the permitted operation and that's what they do.

Mr. Birdsall said the next topic is landfill construction concerns. Ms. Laressa McNemar said the million dollar question is what is the life of a liner and the potential for leaking? She doesn't think any of us want to answer that question definitively, but the design of the system at the IESI landfill is a state-of-the-art facility using the best available technology with what's on the market for a double liner system. You refer to it as a fabric, which is a pervious substance. The likelihood for a leak in such a liner system like this is more related to how it is installed and if there is mechanical damage to the liner system during installation or during filling operations. The system itself is expected to last for the life of the facility as long as it produces leachate. Once the facility is capped, there's no more rain that falls into the cup, and there's no more leachate produced so that the leachate is not sitting on the bottom against the liner and you don't have that active degradation and chemicals in contact with liner like you do when you have the active liner. Back in the very early days of designing landfills when DEP was first putting together the regulations, they had something called the EPA 50/50 test which actually took these liner materials and submerged them in the worst chemical constituents that you could find and they monitored it and checked the strength and that's how they came up with the current regulations which are very strict and what the qualities need to be. In addition to that, there's a performance criteria that is defined in the regulations that not only do you have to have specific features of the design system, but they have to perform to contain the leachate and collect it and put it to its ultimate treatment facility which is the City of Bethlehem. Those performance standards need to be met the entire operating life of the facility and for the post-closure period. After that, there is something that happens with the site and there are provisions on the State level and there are bonding and post-closure funds that are available by three different groups who address problems that occur after that. That takes away the scare that it's like a swimming pool liner because it's not.

Mr. Maxfield said again to summarize, there was a statement made at one of our meetings, and he'd like you to characterize this. The bottom line is when you put a liner under a landfill, it's expected that the liner is going to leak. Are you saying it's not expected to leak? Ms. McNemar said correct, it's expected that it's not going to leak. Mr. Maxfield said then it's opposite of that statement, thank you. Ms. McNemar said do things happen, yes things do happen. This could be due to installations or something to do with mechanical. She was at a site once that a piece of

equipment accidentally gouged it during installation. It was readily identified and reburied. Those are the kind of things that would happen to the liner itself. The detection zone liner system is geared towards making sure there the primary liner is intact and that is it performing properly.

Mr. Kern said would you say that the most critical period would be when the liner is first laid and the first layer of material is placed in there? Ms. McNemar said yes, there are specific provisions for the first 8' of trash that are placed on top of the liner. They cannot have sharp objects and pieces of material that exceed certain maximum dimensions. From her understanding, IESI works this way. They inspect all those loads when they first go on top of the liner by hand and there have been instances where something has been found in the past, and that happens, but the point is it was caught and there are a lot of checks and balances. Mr. Kern said in the worst case scenario, something doesn't get caught and it pierces the liner, how would it be detected and how soon would it be detected or would it be detected? Ms. McNemar said it could not be detected at all. There are strict requirements for the puncture resistance of the liner material that includes the weight of the fill on top of it, and that's how these things are designed. Should that happen, then the detection zone, the leachate would go through the primary liner into the detection zone and you would pick up flow in the detection zone that may indicate that there is a breach in the primary liner. That's the purpose for it. Mr. Kern said initially it would most likely be detected if there was a breach and it would be at a level where it could be repaired fairly easily? Ms. McNemar said not necessarily. Sometimes it takes years for something to show up like that and the operations of a landfill require them to identify where every load was dumped on the grid basis so that if they have been out of the ordinary load, sharp objects from demolition debris or something that was a suspect, it would show an increased flow within a couple of weeks that is was placed and that would be a flag. In most cases you would only see a spike if it was related to a specific instant right at the ground level during installation. Mr. Maxfield said last meeting Mr. Birdsall was before us and he talked about the existing leachate leakage that is occurring. He said it was being caught in the secondary zone and was being treated and there was no way it was entering into the water system or anything like that. Would that also be your assessment? Ms. McNemar said there has been flow in this leachate section since the year 2000, many, many years. The DEP has policies and guidelines that identify when it gets over a certain level, and then they are going to require some action to be taken and find out what the source of that flow is. Since that time, they had IESI do some various investigations to find out and determine the source of that and it has up-to-date contributed to infiltration of stormwater and a seam that is getting into the liner system rather than leachate that's coming through the front of the liner. She will tell you that she reviewed the second quarter facility report today and every quarterly report has a chemical analysis of the leachate itself and water that's in the detection zone so that you would be able to tell if the water in the detection zone is cleaner, the chemical analysis would be somewhat different. This last quarterly report, and she would like to bring this to Bill's attention, the chemical analysis for the detection zone water and the collection zone water were virtually identical which to her indicates that perhaps it's more than stormwater going on there. That's just a supposition at this point. She doesn't have the details; she just looked at the chemical results. It happened one time before in the last year and a half where the chemical analysis was just balanced and your first thought is it's not stormwater down there, it's leachate, so maybe something else is going on. Her understanding is that Council sent a letter with this concern and it is a concern as you don't want to be here ten years from now still talking about the flow of the leachate in the detection zone if it continues. That is a concern. Mrs. deLeon said what section of the landfill is it? Ms. McNemar said it seems to be emanating from the Phase III area and it's shown up in the leachate management chamber no. 8. She said there was a concern about as the landfill gets bigger, and maybe it was just a statement, but there's more leachate and there's more gas, the bigger it gets, the worse it gets. The theory of the landfill is as you cap it, you stop the rainwater from coming in. You stop the degradation process to a point and the waste cap stabilizes. Mr. Kern asked what does stabilizes mean? Ms. McNemar said it's a landfill term. She can't say it's not going to generate gas or leachate, but it exists by itself without having to manage gas emissions because it's not producing enough gas, and where it's not producing leachate that has to be pumped away. As a landfill progresses the ground surface, the

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new areas that have rainfall are going to be producing leachate to a higher level in those areas than are capped. As it flows, you have a pretty well producing non-stabilized area that is still under operations and then in the end, the perfect picture is once it's closed, as long as there's no oxygen in there, you aren't going to get that kind of decay you are getting now. Mr. Kern said what is the decay period once it's capped? Ms. McNemar said she doesn't know the answer to that.

Mr. Tomayko said there are a lot of factors that are involved in it so there's no straight answer that he can give you. He can tell you that once the landfill is closed and completely capped, the gas generation drops off quickly, but it doesn't ever stop. You end up with a curve that drops off rather steeply in a relatively short period of time. Then it flattens out and goes on for decades and continues to generate gas. The most active point of gas generation is during the active life of the landfill. Mrs. deLeon said who is going to talk about bonding? She knows a lot of residents have said to her about what's going to happen post-closure. Is there enough money that's set aside, and her answer is there's bonding set aside. How many years do they have to bond? Mr. Tomayko said the laws require the landfill to maintain the bond as long as they have liability. Mrs. deLeon said that could be beyond thirty years then? Mr. Tomayko said that's correct. As long as they are producing leachate that needs to be treated, as long as they have gas that needs to be collected and destroyed or used, as long as they have obligations they need to meet or regulations they need to meet, they need to maintain a bond. Mr. Maxfield said no walking away from the problem? Mr. Tomayko said that's right. Mrs. deLeon said that's happened in the past with other landfills. Mr. Tomayko said they have the bond. We have that financial incentive so they don't walk away. If they do walk away, then we have the ability to take care of the issue. That's the purpose of the bond.

Ms. McNemar said there was another concern whether the site was designed to be able to handle earthquake situation. The answer is yes. The design of the facility, there is an earthquake analysis that's done on different cross sections of the landfill at the maximum height to make sure it could withstand an earthquake scenario. In addition to that, when they construct the cells, they need to verify some of the field parameters that they've assumed that are in the earthquake analysis. She's sure the analysis is sound.

Ms. McNemar said another question was what if something hazardous gets into the landfill even though there's a waste acceptance plan and there's all kinds of checks and balances to make sure from the generator standpoint to the disposal standpoint, that there are no hazardous waste that make it to the landfill. There are things that we do throw out in our trash that are considered hazardous. The design of a sanitary landfill liner system in PA is the same criteria used to design a hazardous waste landfill. The double liner system, the leachate collection system, the leachate detection system, the level of permeability of those liners is virtually identical with a few differences from the hazardous waste landfills. DEP made these regulations just for that reason. That's the end of some of these design questions.

Mr. Kern said let's give IESI an opportunity to discuss anything that was discussed here. Mr. Rick Bodner said it was well done. He'd like to describe what a liner is because it's not just a liner, it's a system. Let him start at the bottom of the system and work up to where the trash is. You get to excavation grade and then place 6" of compacted clay soil. The first construction effort is placing clay and that is tested for density and permeability to make sure it's requisite low permeability soil. Directly on top of that is the secondary liner, the plastic, high density polyethylene that Lauressa mentioned. That's the secondary or lower level liner system. On top of that is the flow detection system. It can be sand. It can be geotech, a high permeability material. The purpose of this is to pick up any waters that get to it from the overlying primary liner and carry those to the detection sump where you can see what flow and what chemistry you may be capturing in that secondary liner system. Above that, and this is new, he thinks happened in the early 2000's, DEP requires a bentonite, which is a clay that swells substantially when it gets wet. On top of the detection zone and below the primary liner, the upper most plastic of polyethylene membrane is a layer of

bentonite clay. On top of that is the primary liner. On top of that is a cushion and geotech style to protect that primary liner from the 18" of flow zone materials, sandy material, a high permeability sand. That is directly placed on top of the upper most liner. On top of that 18" is where the first layer of trash goes as Laressa mentioned. It's called the fluff layer, and that's the layer that is inspected as each load is dumped and spread to make sure there's nothing that will potentially get vertical and penetrate through the liner system. When you say the landfill has a liner, it's merely a system and maybe the neatest thing about the system today is that the layer of bentonite is beneath the primary liner. In the industry, we've all seen this demonstration where you take a liner with a layer of bentonite beneath it and you can pound a nail through it which is not an easy task. You can force a nail through the high density polyethylene liner and you can watch the water work through the hole you just created and watch the clay swell up and seal a hole. In addition to all the safety that was built into the liner system, the subsequent additional requirements of this bentonite layer is just a super duper band aid to be put in place. When we talk about landfills having liners, that's what a liner is. Laressa is correct; we analyze the mass for earthquakes. It has the ability to sustain itself through an earthquake and not only do we look at the liner system in the landfill, but we also have to analyze the cap that goes on top of it. Because of your temperature, your landfill is like a big bowl of jelly and the bowl the jelly is sitting in, the liner system is capped and we want the membrane cap on top of that jelly has to be able to sustain itself through an earthquake. All of that is evaluated and the design will be modified until they have a bowl of jelly and a stable bowl with a good cap on top of it that can sustain an earthquake. Mrs. deLeon said you heard us talk about the leachate management chamber 8 which is a big concern of her, and he's done some work in the toe drains trying to find why and each time she sees the chart and sees that it exceeds the gallons per day, that's a violation of a DEP reg. Mr. Bodner said it's not a violation of the regs, it's a trigger in the reg. What it does is it triggers things a landfill must do if that trigger is exceeded. Laressa is right where there are times when C-8, the leachate detection flows from a portion of the Phase III cell exceeds that 100 gallons per acre per day. Bethlehem is doing everything that the regulations require it to do to deal with that situation. It handles that flow as well as it treats it as though it were leachate. In addition, this landfill and all landfills have perimeter monitoring to see if the landfill is leaking, and is it affecting the water table. We just checked to see not too many weeks ago, and asked if there was any landfill in PA where the liner has failed with leakage to the liner system and the answer is no. There is no leakage from the liner system, no failure. Going the next step, although not required by the trigger that he just mentioned in the regulations, the cause of the old City of Bethlehem landfill and its impacts on groundwater, there is a new system in place in Bethlehem and is operated so that groundwater flow from the hillside going to the south is captured, pumped and handled as leachate. If this were a different site at a different location, without that pump, that is a potential system that might have to be put in, although the issues at Bethlehem don't require them to put it in based on what's happening there now. Fortunately for everyone, it is there now.

Mrs. deLeon said let's not confuse the abatement system with the pump and the leachate management system chamber 8 and 7 sometimes, but 8 more importantly. What are you going to be doing to help fix that? Mr. Bodner said as you know we have done remedial work and it has had a positive impact and they are continuing to look for possibilities as to where that stormwater is getting into the detection zone. We are continuing to look for areas and as we identify them, we address them and we've been somewhat successful, but not completely successful.

Mr. Kern said can you elaborate on what that issue is? Mr. Bodner said what it appears is that there's stormwater as it's very much precipitation related, there are spikes in flow in the detection zone is directly related to stormwater to rainfall events. There is stormwater sometimes getting into the envelope between the primary liner and the secondary liner. The detection zone is probably, and this is where we focus our attention, is probably at the anchor trench because these liners just come out of the ground, go down into an anchor trench where they are anchored. It appears thus far the efforts we've implemented have been aimed in this direction and have been somewhat successful in cutting off that water from getting it into the anchor trench. It is stormwater that is

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somehow getting into the system between the secondary liner and the primary liner. Mr. Kern said it's being introduced not at the trash level, the stormwater is getting in between liner levels. Mr. Bodner said at the perimeter of the landfill, at the anchor. Mr. Kern said it's not leachate, it's stormwater? Mr. Bodner said yes, it is stormwater. Mrs. deLeon said she disagrees because Laressa just said in the second quarter, which was being reviewed by our staff that the parameters are showing that it's leachate. Mr. Bodner said he heard Laressa say that. Mrs. deLeon said it's your report. Mr. Bodner said their analysis has been and continues to be stormwater. Mrs. deLeon said every time we see a monthly meeting, she always asks if there is anything in the reports we should know about. To her, this is significant that the second quarter report showed these findings and at the monthly meetings we weren't notified. That's why we have monthly meetings.

Mr. Al Schleyer said what is reported is some of their investigative report and the findings from their geologist noted as the flows decrease in the detection zones during a dryer condition where there's a lot of rainfall, it reduces the flowing. When things are sampled in those conditions, the water chemistry is more concentrated.

Ms. McNemar said take a closer look at that report. In that particular report, the flow was 92 acres per day which is higher. The chemistry was significantly different than the previous report.

Mr. Maxfield said to Mr. Bodner that they have been somewhat successful in treating that, what does that mean exactly? Mr. Bodner said we have cut down on the gallon per acre, per day. They are not as high as they had previously been. Mr. Maxfield said significant? Mr. Bodner said yes, significant.

Mr. Kern said how much of an issue is this for public health and safety on a scale of one to ten where ten is red alert and one is no big deal, this issue we've been just discussing? Ms. McNemar said she guess it would depend if the flow in the detection zone gets past the detection zone, then it may or may not be an issue. Right now there is flow in the detection zone. It is not drinking water standards. It appears to be very different than if you were to sample stormwater from on the top of the mountain. It's an indication there is, and she'll use the word, malfunction, whether and how it was constructed on the side or some kind of anchor trench or where stormwater or what have you is in the detection zone. The detection zone functions for a purpose of raising a flag if there is something going on; so there's a flag raised. If it goes beyond that, the flows have been low this year because there hasn't been a lot of rain and that's why flows are down. If flows start to pick up in the 300 to 400 gallon a day range, it will be interesting to see in the next two weeks, and the problem is still there and it's as bad as it was five years ago. She won't say it's as bad as five years ago. There have been improvements. Is it a health problem? You go by what Rick says, is you have your perimeter groundwater monitoring system, the public risk would be if it gets into the ground water and people would be drinking the ground water, which they are not as they have public water, then it would be to the next level, but at this point it seems to be contained within the system itself.

Mrs. deLeon said she hears what you are saying that it's contained within the landfill property if you drew a straight line all the way down to the center of the earth, it's there, but to her, she's just saying someone says the pollution didn't go offsite, it stayed within the landfill, don't worry about it, that's unacceptable. It's still pollution and she doesn't know if she wants to give this a ten, but it's definitely a red flag and she takes it seriously as it's not supposed to be there. It's not supposed to be there. Mr. Maxfield said did he misunderstand? He thought the statement was that it stayed within the system, not within the landfill boundaries. Mrs. deLeon said she's making a comparison. Mr. Maxfield said he's just saying it's being treated and it's not contaminating anything even on landfill property. Mr. Bodner said when he described the liner system; it's within the liner system as opposed to within the landfill property. It's where it belongs.

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Mr. Tomayko said the question he heard is, is this issue a public health and safety issue and he's not aware of any public health and safety issue related to this particular problem. It's common to have flow in between these layers. It's common for landfill operators to do what IESI is doing. In fact, as has been stated, the regulations say you need to monitor that flow as far as the quantity and its chemistry. IESI is doing that. When the flow reaches certain levels, it triggers investigation to reduce it and find out if it is a problem and that's what's going on now. There are no pollutants or concerns escaping the landfill and affecting people's health or public safety. He would give it a zero.

Mr. Matt McClarin said tell him if he's wrong, but we have a lined landfill next to an unlined landfill. Where does all the water go from the unlined landfill and is it actually polluting the groundwater and what aspect is in place to protect the citizens in place who do have well water surrounding the landfill from that groundwater being contaminated and getting into the water table from that part? There are strict things for the liners, but we still have an unlined landfill next to it leaking leachate into the ground. What are the safety precautions that DEP requires for that with neighboring wells and properties located within a mile of the property and what is being done to pump that water out? Mr. Rich Sichler said there are active controls in place. There's an abatement system that actively pumps water out from downgrading flotation from the unlined older portion of the landfill system. Those cells, since IESI has been on site have been capped, reduced rainfall flowing through that, and hopefully reducing the amount of impact water that reaches the groundwater. Below the abatement system, we have our monitoring network that tests the water that would be leaving that area to see if we have any impacts that would have any related environmental or health concerns. With upgraded, that landfill was state-of-the-art at some time, and now as much as can be done to mitigate and bring it up to today's standards. You have a monitoring system to see if those remedial activities are effective and if there still are impacts. Mr. McClarin said is there any chance that water could be getting into our wells around the neighborhood or into the water table that we're actually drinking and bathing our kids in and anything else? He just wants to suggest to LST, this had been kept in the dark for a lot of people with homes and he knows they are real stringent about testing wells and stuff. He'd suggest to end all of this right now and see if the water is contaminated as we have no idea if IESI or LST or DEP could please, if we could get our own person to test our own wells or anybody else that has one and make sure there is no contamination in them. Mr. Kern said the initial question is, is there a possibility that the unlined landfill water runoff could be somewhat contaminating the wells? Mr. Sichler said there would be two directions to approach that. One direction that is typically taken is to do a hydro-geologic study to determine what groundwater has been in place rather than to do shotgun samples or widespread sampling of wells. That has been done on numerous occasions where everything is evaluated and re-evaluated and constantly looked at on an annual basis to see if the system that is in place is effective. The monitoring system has been designed to detect the extent of water or be in place in case there is a release that has not been detected prior to it reaching any private water supplies, public water supplies or surface water. That is designed by the operator, reviewed by the Township and DEP professionals and ultimately approved by DEP, so there are a number of checks and balances in the system that we have. That would be the approach rather than just the routine sampling of wells. They probably would be included in the monitoring program.

Mr. Birdsall said when the City of Bethlehem was operating that landfill, the downstream wells did indicate some pollution and in his opinion, and in the opinion of the other experts in the Township, there was some pollutant leaving the site immediately adjacent to the landfill on the south side. That was one of the reasons why the operator of the landfill, and ultimately, IESI, had to design the system that actually pumps out the groundwater from underneath the landfill in what's as known as the abatement system. It pumps it into a pipe that goes directly into the City of Bethlehem waste water treatment plant, so there's thousands of gallons a day being drawn out of the ground to take away any water that gets into the landfill and immediately beyond that, there's a ring of wells that are called monitoring wells. Monitoring wells are not only on the south side, but they are also on

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the north side, and enough to the east and enough to the west to be able to identify if there's any spread of a pollutant. Rich can explain what he's observed in the history of monitoring wells in the last five or six years for those basically almost offsite monitoring wells. The other point he wants to make is there was another well on the north side which was a residential well that is still being monitored on a regular basis. It's several hundred feet away from the north boundary and that's being checked on a regular basis for any contaminants. There is one residential well and this perimeter wall exists immediately around the landfill. As most of you remember, when off-site pollution was identified, the operators of the landfill at that time had to install public water systems and not only for the immediate neighborhood around Applebutter Road, but also around Skyline Drive and down on Applebutter Road to the east and down Ringhoffer Road.

Mr. Sichler said regarding groundwater monitoring, we currently have 28 wells which give us the best chance to intercept anything that leaves the site in the past five years, we have seen continued improvement in the water that is withdrawn in the abatement system. Every year it's better than the previous year. The monitoring wells you can see a distinct difference. There are some wells on the western part of the landfill and those are waiting for something bad to happen. They are there to monitor the effectiveness of both liners. On the eastern side where they have the unlined landfill, you do see signatures in the groundwater chemistry of leachate and that has steadily improved for the past five years. Looking at the annual report, it looks like every 10 or 12 years the groundwater is better than it had been. It continues to improve. Mr. McClarin said you can pretty much guarantee us that our water is not affected 100% by the landfill, the old unlined portion of the landfill or the new landfill at all, 100% guaranteed? Mr. Horiszny said probably not, you should get your well checked every year anyway. The State recommends it. There are private people who will check it and the State will check it. Mr. McClarin said they don't check it for the stuff that comes out of a landfill. They only check it for parasites and things like that. Mr. Horiszny said they check it for drinkability and you can probably get more extensive tests if you request it. Attorney Treadwell said he doesn't think that's a fair question to ask anyone to guarantee anything 100%. Mr. McClarin said we're drinking and bathing our kids in the water. He just wants to make sure it's safe for us so don't sit there and make a cocky freaking comment. It's not appreciated. Attorney Treadwell said you asked a professional consultant to guarantee you 100%. You will never get a yes answer to that from any professional consultant. Mr. McClarin said 80%, 50%, 60%. Mr. Maxfield said have your water tested, that's how you know. Mr. McClarin said can DEP test the water for us in Steel City free of charge? That's what he wanted to ask DEP. Mr. Tomayko said he's unaware of any kind of relationship between the groundwater at the location of the landfill and the groundwater of Steel City. If somebody can present to him that there's a groundwater connection, he'd entertain the concept, but he's not aware of a relationship at this point. Mr. McClarin said Mr. Birdsall said our public water supply was installed. What was the reason for the public water supply to be installed? Mr. Birdsall said the public water supply he was referring to was along Applebutter Road and Skyline Drive and Ringhoffer Road. It was not the public water supply system in Steel City. Mr. McClarin said was that public water supply installed the same time as those two? Mr. Birdsall said as he can recall, it was not installed at the same time and the funding mechanism for the one system was entirely different than the funding mechanism for the other as the landfill people paid for the one system and we also got a grant. Mrs. deLeon said the landfill did not pay for that. The residents paid for that. She doesn't remember the City of Bethlehem paying for anything. Mr. Birdsall said what he recalls was there was as much as \$500,000.00 to be put toward a public water supply from one of the operators and then there was some block grant money we got. Mrs. deLeon said she thinks the \$500,000.00 went into the kitty and she thinks went towards the water system. Instead of asking the question of 100%, why don't we go from 0% to 10%. Mr. Tomayko said why don't we talk about the old landfill being capped over 20 years ago with the purpose of minimizing the rain and snow and infiltration for that concept. What we have also heard tonight then for 20 years we've been collecting a voluminous amount of data from groundwater monitoring wells that have been showing orders of magnitudes of improvements so to him, those are kind of performance standards that we ought to be thinking about and can something happen in the future, can something change

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in the future, yes it can, but based on what we know of over 20 years of monitoring the unlined landfill and type of cap and stormwater system that we have at the landfill, we're seeing good, measureable improvements. That's a good direction to go.

Mr. McClarin said he understands IESI has done a good job of cleaning up. If Eastern wouldn't have bought and Waste Management wouldn't have sold it, IESI wouldn't have bought it, it would have been a Superfund site right off the bat. They have done a good job. He thinks a lot of the residents are worried about their drinking water. He has a question for DEP, there was blasting that happened and he's heard it through the grapevine that two people's properties were damaged from the blasting on the other side of the mountain. What measures did DEP take? Were the blasts metered of any type? He knows that DEP says there's no possible way a property can be damaged from blasting. Did you guys measure or meter that when you guys blasted? A well was cracked and a foundation was correct. Mr. Tomayko said he's not aware of the issue. He can't speak to it. Mr. McClarin said do you monitor the blasts? Mr. Tomayko said blasting is regulated activity and it's regulated for the purpose of people blasting in an uncontrolled manner it can cause damage. Mr. McClarin said do you have a meter you take out there, and he'd like to see the reports from the blasts. Mr. Tomayko said he's not an expert in blasting and he can't address that issue. He just doesn't know. Mr. McClarin said does DEP oversee it? Mr. Tomayko said yes, there are people in the department that oversees blasting. Mr. McClarin said does DEP think it's acceptable to damage people's properties while blasting? Mr. Maxfield said that's a rhetorical question and you know the answer to it. These guys, you have said publicly before that the blasting occurred and a cracked well was a result and you've also said there was a cracked foundations or whatever, you also said that the landfill knew about it and the landfill addressed the problem, so ask the landfill for details because the only thing he's heard about it so far is what you said. He'd like to know. Mr. McClarin said he wants to see if there's a comment on that or not. Mr. Donato said back in 2010, Mark Walters' did call them and said his well was damaged. Mr. Donato and their blasting consultant looked at it. He said to Mark, get your well and your foundation taken care of, and told him to give IESI the bill. Mr. Donato then met with their consultants and our blasting and the general contractor. They modified their blasting. In the ten years they've been blasting at the facility and they blasted this year again, we've had one complaint. It was addressed at no cost to Mr. Walters. Mr. Maxfield said how far away was Mr. Walters' house from the blasting site? Mr. Donato said the house is within 1,000 plus feet, but he'd have to look at a map to give you the correct answer. If anytime there is a problem they go out and investigate the problem, identify the problem and correct the problem. They put a remediation plan in place so it doesn't happen again. Mr. Horiszny said the Google maps indicate there are no houses closer than 1,500'. Mrs. deLeon said what about the Helms property? Mr. McClarin said that blasting could be done at 12 o'clock during the day and see damage, we have no idea that blasting took place. He just asked for a little heads up before you start blasting and inform the local residents before you do it. You obviously damaged someone's property and it would be courteous from here on out to inform us when you do it. Mr. Donato said first of all, they notify DEP and the Township. They give them both a 24-hour notice. Mr. Kern said on the Township level when we get that notification we can post it on the website from this point on. Mr. McClarin said if DEP cracks somebody's well from 2,000' away, would you call that following DEP procedure for blasting? Mr. Tomayko said if a person suspects that their property has been damaged, it would be appropriate for that person to inform the department so they can investigate. If blasting causes private property damage, there are consequences. It would have to be addressed.

Mr. Russ Sutton asked DEP if they have more than a 30-year study of comingled waste products, long-term study plans? This landfill is going to be here for generations, not just present. He knows the landfill company has done a great job now at the present time, but his concern is potential problems. He just looked on their website and your website states our landfill sites provide an environmental safe and economic way to manage the non-hazardous solid waste generated within the community. He looked at your website and there are 325 particular corporations and other entities that dump at your site, and it's like a who's who. There are all different kinds of waste

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going in. His concern is what's going in that landfill and how do we really know what's going into that landfill. He was on your tour and you have Geiger counters on your scales. We do have an incident of the radioactive material there, that's a fact. It was in three newspapers and it said DEP is on the edge for radioactivity on the landfill site and that was a quote from the paper. That's just radioactive material, what else is going in there. There are Superfund sites, oil plants, pharmaceuticals, all these wastes are going in there, and he's not saying in the immediate, he's talking about down the road. He doesn't know how long it takes for these particular matters to come together and precipitate out and finally get to the area where they tested. This is a potential problem. He's not saying right now or ten years from now, but this landfill is going to be there forever. It says non-hazardous and he knows for a fact there's asbestos up there. Asbestos is a carcinogen and he's in the health care profession and he knows. He takes care of people on ventilators who have been exposed to asbestos. His concern is what's going into this dump and what's the potential effect long-term, not short-term. He wants to know from DEP what kind of long-term study you have of comingled material and how long does it take to precipitate out to get to the point that is actually tested. Mr. Donato said at their facility they have a radiation monitoring plan in place. **(Could not hear Mr. Donato)**. We test the vehicle. The department was notified. The Township was notified. The DEP came down seven times to look at it. We have been working with our health physicist and the DEP to get this material off our site. They had no intention of ever accepting this material. They identified this material and acted appropriately. By regulation they cannot take it off their site. DEP will not allow them to take it off their site. A company is going to take the material and it should leave their site by February 10<sup>th</sup>. They did everything in their power to get it off their site and to prevent it from entering their site. **(Could not hear Mr. Donato)**. There are checks and balances going on at their facility. 90% or more is municipal solid waste which we all generate in our homes and that's what we accept.

Mr. Maxfield said would Chris Taylor mind if he read the email that was sent from Chris that was generated by Richard Kroll, Radiation Health Specialist from DEP. Mr. Taylor said please do. Mr. Maxfield read, "your email was very timely. The email below is from Mike Leone, and shows his planned schedule". This is about the removal of the radioactive material from the landfill and why it took so long. "You asked what was going on behind the scenes. The real issue was cost. Much of the waste is below detectable levels as some is wood and other big pieces that can't be sampled easily. When the waste was put in the roll off it was not sorted out and that's understandable. The volume and not the concentration was driving the cost and since we knew most of it was below detectable levels". That comes from the radiation specialist. To him, that's a perfect example of a little bit of panic. We hear about radioactivity and we think incredible shrinking man or whatever you think, but you testified before that the radiation detectors are so sensitive that you can detect a Band-Aid that comes from a person who is undergoing chemotherapy. We had someone detected at the landfill that got a barium enema or something like that and it was detected two days later. It's important that we understand the level of things that we are talking about. He just saw this email today and he felt obligated to tell the people of the community that this is what is going on. Mr. Taylor said that said it all. Mr. Taylor said he sent an email to Mr. Kroll that there were concerns from the community about the delay in moving the material and we needed to shed some light on the situation and Mr. Kroll responded back very quickly and explained what was going on very well. He's been on top of this situation since it started in January. DEP had to make sure the material was moved properly and that it was disposed of properly and that the responsible parties paid for that. Mr. Maxfield said they have a date of 10-09 and 10-10 that it would be taken care of. He thanks Mr. Taylor for following up on this. Mr. Donato said this routine they went through, he and Al contacted their health physicist and they are modifying their acceptance of materials and if it ever occurs again, they are going to request the EPA to have the material removed from their site and sent back. If it ever happens again, they will have a recourse. Mr. Maxfield said he's sure people in the community will appreciate that.

Mr. Kern said there was another issue regarding comingling or effects. Mr. Sutton said how long does it take for particles to precipitate out. They are testing it from the bottom of the landfill. How

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long of a period of time does it take before all these materials get mixed and it might not be apparent now, but it could be in ten to twenty years from now? Mr. Bodner said Laressa touched on this a little earlier – how long does it take for that waste mass to deteriorate. Over time, it reached or approached stabilization. It's very much waste specific. It depends on the midst of the waste that goes into that facility. Nobody knows for sure how long it takes. Mr. Horiszny said he saw a report about 15 years ago of a core sampling that was done of a landfill in Arizona that brought up samples of newspapers that still could be read. There wasn't much degradation over that amount of time. Mr. Bodner said that happens in climates like that where you don't have the moisture in there.

Mr. Kern said there was a question about asbestos handling. Mr. Schleyer said they have a process that was designed and approved by DEP for waste coming into the landfill. Some of this is geared through the extensive liner testing that Laressa was talking about what kind of waste can be brought into the landfill and how would that impact the liner and such. These kind of things are looked at and the compatibility of different types of waste. We look at each waste that comes into the landfill and look at all the aspects. We apply for a disposal approval through DEP. We have a thing called residual waste which is industrial waste. When we get those kinds of waste from a contractor or a company, they evaluate and go to the site and see exactly what they are doing so he has a good handle on it. Many times they will request a chemical analysis of it so they can see how it can be compatible with other waste being brought into the landfill. All of that stuff is put into a report and submitted to the DEP and the Township and a Chemical Engineer will look at it and evaluate it. If Laressa has an issue with any waste we have, we look into it a little further. All these wastes are handled on an individual basis and evaluated. Asbestos has a special handling as those loads are bagged and wetted. They push municipal waste over the top of it in case there are any emissions or dust coming off of it. At the end of the day there is a minimum of 6" of soil covered on top of it. It's all in the daily records. That's how we handle asbestos or other industrial type waste. Everything has a check and balance before it's even brought to the landfill so we know what we are getting and what's compatible with the existing waste and what's not.

Mrs. deLeon said Mr. Schleyer does a good job and we have a good working relationship with them regarding the Form U's. We have 15 days to respond as a Township and that language was put in there the last time we did the Host Agreement because we wanted to have some say in the process. In all instances where concerns were raised by Laressa, IESI has rejected or we worked out a solution to accepting the typical, whatever that waste was. She has to say thank you for that.

Mr. Kern said Mr. Sutton was concerned about particulate matter blowing in the wind, does that address that concern? Mr. Sutton said he was wondering what kind of monitoring for air quality equipment do they have up on the landfill site? They are in the valley and anything that blows over the side, you wet the asbestos as it's fibrous, and he's been up on a tour and you compact it. If anything gets loose, it would blow down into the valley. Mr. Schleyer said they have a water truck on site and they try to insist to every contractor to wet down their loads. If they do not follow that, they will start rejecting loads of theirs. They have the capability of wetting those loads down. Their equipment has a filtration system. It's a positive pressure cab. That's some of the checks and balances they have. Mr. Sutton said do you actually monitor the air quality on top of the landfill? Mr. Schleyer said they don't monitor for any specific thing. They do monitor the surface emissions.

Ms. Kareen Bleam, 4289 Fritz Avenue, said what do you do with the batteries, the prescription pills, the fluorescent light bulbs, the nail polish remover containers, the nail polish containers, triple AAA batteries, how do you find those in a bag of garbage that's never been opened? Mr. Schleyer said they do not specifically open people's garbage bags and look inside. It's a health and safety hazard for their own employees to do something like that. Homeowners have an ability to throw things out like that without anybody knowing. It's up to the individual people to sort out what they should be recycling and what they should be disposing of in a more preferable manner. There are

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recyclable collection agencies and people have to make their own decisions to hold those things for the right time for the right disposal than just throwing it out in the garbage. Ms. Blead said she understands that and Lower Saucon Township does recycle, but when you see the garbage in Philadelphia and New York when they have back-up for garbage, you never see a recycle bin. They don't recycle any of that stuff, they don't have time. She knows that stuff is in the dump, but you keep saying you check the stuff out. The oil cans from the motor oil, she guarantees there is some in there. Ms. Blead said this meeting, everybody was here so they could answer questions and we could have answers. DEP came without any knowledge of the violation; IESI does not have the water test results. They do not have any kind of tests, anything up there they could show us. They don't have the idea how high the landfill is or how high it's going to go. They don't know how many years...Mr. Horiszny interrupted and said 725'. They just said that. Ms. Blead said that's what they said, but they said it may go that height, but they don't know. Mr. Horiszny said it can't go above that height. Ms. Blead said where is it they don't have no time on permitting. They can have a permit for something to build and it's indefinite, aren't they treated like the LST where you have two years and then you have to reapply for a loan again to finish what you are doing.

Mr. Kern said the question was do you feel there should be a timeframe for the completion of the MSE wall? Ms. Blead said no, it was just something that was mentioned here. The main reason we are here is to rezone. We're not here for them to expand. They said that they wanted to rezone. That's why we are here. Mr. Kern said no, we're here to listen to the concerns. Ms. Blead said you're here to listen, but that's what we were told when we got the thing that they wanted to rezone the area over by Hader Lane. Is that what they are going to do or are they going to expand? Mr. Kern said we're here tonight to listen to the concerns of the landfill operation. That's the purpose of tonight. Mr. Maxfield said the actual motion he had made was to get to the truth of some of the comments. Most of the comments that were coming from the public at the Planning Commission meeting, even though we were supposed to be talking about zoning issues, were landfill concerns. The paper even says IESI concerns, and we are trying to get at the facts. Ms. Blead said there was a meth lab over in Macungie, supposedly the man was taking all the materials to a truck in Hellertown and he was taking it to a dump. Please don't let them put it up in your dump.

Mr. Willard said what happens when we do put hazardous waste in with normal household waste, wasn't it stated that the liner requirement was the same for a hazardous waste facility? Ms. McNemar said yes, and she'd also like to say most of the things that were mentioned, nail polish, triple AAA batteries, those are all considered municipal waste from a household. Mr. Maxfield said so it's up to the citizens to figure out what they need to do. Ms. McNemar said if you have something different like acetone or paint thinner, which would not be considered part of a household municipal waste.

Mr. Kern said the essence of Ms. Blead's question really goes to the effect of all that in the waste cycle. Ms. McNemar said yes. Mr. Tomayko said that's exactly what happens in a landfill. These types of materials historically have always been placed in the landfills. That's what it is. It's the waste and this is why we have the standards that we do for liner systems and for operating the landfills. This is why we have the standards for testing of the quality of the leachate and analyzing it so that you can employ proper treatment technology to take care of that wastewater. It is the reason why the regulations are in place. The reason why they are as stringent as we believe they ought to be is because there are all kinds of materials that come out of our households that get placed into the landfill. On the one hand, you use the term hazardous waste from a regulatory perspective and as Lauressa has stated, batteries and household cleaners and fluorescent lights from your house, those are all household wastes that when you use them and are no longer serving their purpose, they go into your garbage or you can recycle them if that opportunity exists. They may pose hazards to you, as a person, but it fits the characteristics of a municipal waste. The definition of a hazardous waste is materials that are specifically produced by industrial generators and manufacturers that have those characteristics that are defined in the law that create a hazard. Yes,

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there are materials in your home that are hazardous to you, but it's not necessarily a hazardous waste is what he's trying to say.

Mr. Maxfield said if you think about anyone who has lived in our area for any length of time, we are full of old farm properties. What did farmers used to do, they used to take it out to the hillside by the creek and dump their trash there or back in the fast and loose days of Bethlehem Steel when they used to fill old sinkholes with batteries and things like that. He looks at what's going on in the landfill today as a real advantage over what could have been. If we would have sat around and done nothing, we would have had a million Brownfield sites on our own properties.

Mr. Willard said Northampton County is having a hazardous waste drop-off this Saturday, October 6<sup>th</sup> from 8:30 am to 2:00 pm and the following Saturday the computer electronic recycling event which is being provided by Lower Saucon Township. Mr. Horiszny said the Police Department took back pills last Saturday.

Mr. George Steckel, Jr., 2121 Johnston Avenue, said they have six properties at the end of Mixsell Avenue, which is the closest to the active part of the dump and there's no city water on any of those. They are all well water. Back when Bethlehem had the dump, Lower Saucon tested their wells. Ever since they bought it, nobody has tested it. You said it was so expensive; we couldn't afford to test it. The test you had done on the water was a couple of thousand dollars, so what's happening with that? The last house in Mixsell is a lot closer to the active dump than Mark Walters house. That should be tested and they should pay for the testing. We should have the ability to take the water where we want to get it tested, and that way we know the results are real. Mr. Maxfield said he has his comment marked from another meeting which says "when Bethlehem had the landfill, they tested the wells of the houses as there are still wells there. No one has ever tested the wells since IESI took over." What we are talking about is what Rich was talking about earlier which was the monitoring wells and the hydro-geological study. Mr. Steckel said you said there was a well on that side that was getting monitored, whose well is that? Mr. Maxfield said they said there are 28 monitoring wells. Mr. Steckel said you said it was a private resident. Mrs. deLeon said that's on the Narrows. Mr. Sichler said there are only a single private residence and the criteria on the State regulations that the land has to abut the actual landfill and any property that is immediately adjacent to the landfill property has the opportunity have their water tested on a routine basis. Anything beyond that, that's where we fall back to hydro-geological studies that predict areas that would be affected and the monitoring isn't private wells, it's wells that are specifically designed to protect any impact closer to the landfill and if you don't find it, there's no need to go out further. Mr. Kern said in relation to Mr. Steckel's property, where are the monitoring wells? Mr. Steckel said it's the house closest to the dump up on the hill. Mr. Sichler said there's three wells located along the western edge of the landfill. Mr. Steckel said the wells are on the other side of the dump of the hill climb, so they aren't close to where he's at. He's further west. The last property borders the hill climb property. The Township tested them back when the City of Bethlehem had the dump, what changed? We don't have city water there. Mr. Birdsall said there are some wells that the landfill tests on the west side of their existing landfill that are very close to the landfill. There's a determination as to whether there's any pollution moving to the west and it would be identified there immediately adjacent to the well operations. That's why those wells are there to see if anything is moving in that direction. Mr. Bodner said before you get a permit for a landfill, you have to do a study and know what the groundwater closest to the system is like. You have to know where the groundwater is going to go on the site before you put a landfill on it. Once you know where the groundwater is going, and you know that by drilling many wells and taking water level elevations for at least a year, then you can site your monitoring wells and observe how that groundwater is or is not being impacted by the landfill over time. The wells aren't just haphazardly placed like porcupine quills on the hillside around IESI landfill, they are placed at the most likely places to pick up any movement of water from that landfill. They are on fracture places, zoned where water is most likely to flow where it flows through the underground rock system. The existing landfill, and particularly the Phase IV

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expansion monitoring system was designed only after we knew where the water flows as it moved from that site, to the west, the south and the north. Somebody earlier wanted 100% assurance, and as Attorney Treadwell said, there is nothing such as a 100% assurance but the groundwater from Phase IV is not flowing to Steel City. Mr. Steckel said isn't it true that the well you had there for your own shed was so contaminated that you had to hook up to the tank for water up there? He knows that as a fact. You had a well that you were using for the maintenance building. Mr. Bodner said it was a monitoring well. Mr. Steckel said it got so bad you couldn't even use it and had to hook up to the city water. Is it getting better or what?

Mr. Tomayko said with all due respect, he's been here for three hours and he has an additional two hours to get home, so he'll get home at midnight and he has a full day of work tomorrow, he was wondering if he could excuse himself or if you believe additional time was necessary? Mr. Kern said he thinks some additional time is necessary.

Mr. Kern said would you care to address the issues of that particular well? Ms. Garber said just to confirm what Rick said, we acknowledge the facts that the monitoring well in that area was in the old unlined landfill. Mr. Bodner said that's correct and as far as Mr. Steckel's well, it's not highly logical according to the land.

Ms. Doreen Shosh, 2181 Mixsell Avenue, said she has a well and she's been checking her filters and has been getting sediment in her filters. Gritty, but a little bit bigger than gritty stuff. She was wondering if it was from IESI's blasting or what? A couple of other people have it also. Mrs. deLeon said you never had it before? Ms. Shosh said no. Mr. Donato said he really doesn't know how to comment. Mr. Kern said it's a hard question to answer as you don't know. His personal well water is horrible and it has chunks of stuff in its filters. It's just hard to identify what the reason for that sediment in your water would be.

Mr. Richard Weichert said how deep are these test wells? Mr. Sichler said they vary in depth. He doesn't have a well chart in front of him, but he's sure they have shallow ones that only go 40' deep and we have probably upwards of 250'. Mr. Weichert said are they at the top of the landfill or at the lower side of the Steel City mountain? Mr. Sichler said at the top of the mountain they tend to be very deep as the groundwater is deeper and as you get towards the bottom of the landfill, you have multiple depth wells so that they can intersect shallow flow paths of the water and deep flow paths. Mr. Weichert said the top part of the landfill is 200 or 300' above Steel City. Where he's at, his well is 300' deep. Don't you think you should put some lower ones down by the hill climb to test on the lower level? If you are up at the top testing the water, you aren't getting the bad water up there; it's coming down at the bottom. Mr. Sichler said that goes back to the hydro-geologic studies that have been done with each expansion, and they did studies when the first wells were put in the landfill, so there have been numerous studies done. The whole reasoning behind them was to determine the paths the water leaves the landfill areas and then put the monitoring systems in there. That flow path would have been evaluated at some point. We've never identified or had any connection in his review of the studies been done, and he would have been more than happy to point that out if it was possible, but they've never seen evidence of it. There were other wells installed on the north slope down from the landfill that they evaluated and decided they'd better put in additional wells and deeper. They have been identified as paths from the landfill area to the ultimate receptor which would be the Lehigh River and south.

Mr. Maxfield said because he wanted Mr. Tomayko to make comments, can we proceed to the section on methane because there's a lot of things that have been said about methane that he'd like to get DEP's perspective on.

Mr. Birdsall said he'd like Lauressa to start on methane and gas detection procedures that are used. Ms. McNemar said a couple specific concerns on the gas generation at the facility. There was a question as to how many gas wells are there? The gas system at the site includes what's called

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extraction wells, where the wells go down into the waste to collect the gas for the BRE plant to make electricity. There are 107 extraction wells in the landfill portion that is capped. In addition to those, there's approximately 40 other locations that along with the extraction wells are sampled on a monthly basis for methane content. The blower and the flare station in the BRE facility as well are monitored monthly for methane concentrations. The methane coming out of the extraction wells is an average of 50% methane. If we try to turn this into comparable numbers, that would be about 500,000 parts per million of methane in that gas coming out of the extraction pump. IESI is required to sample, on a quarterly basis, outside each of those extraction wells. The extraction wells go all across the top of the landfill and 470 locations they check for methane right outside the extraction wells. 500,000 parts per million with gas in it and outside of that, they are limited to 500 parts per million. That is the regulatory standard for what's called surface emission monitoring – 470 locations per quarter. In almost every quarter by far, the majority of those are 2 parts per million. The methane is 1.8 parts per million. In addition to that, they have 23 total perimeter probe monitors which are like little 1" or 2" probes that go outside into the soil below the lowest level of the trash. Those are sampled on a quarterly basis. There are 23 of those and 11 around the perimeter and two probes at the BRE plant, one at the maintenance garage and 9 leachate chambers. Those are sampled on a quarterly basis for any methane that could be getting into the surrounding soils and she looks at these every quarter and she went back and looked at every quarter for the last two years specifically for tonight's meeting and it's been none in every place, in 23 of those probes. Somebody asked about what are the exposure limits for safe breathing? There are no published limits. The presence of methane in an enclosed area actually poses a risk when it displaces the oxygen, so breathing in of methane itself has not been shown in any studies to have health effects before you suffocate from lack of oxygen. There are also studies that the flammable zone of methane is between 5% and 15%, so that would be 50,000 parts per million to 150,000 parts per million is the flammable zone, so when you are outside and limited to 500, you have to keep those gas vents tight. The health effects of breathing in methane are virtually non-existent.

Mr. Maxfield said the one section it talks about fire from the methane. He's not talking about the ambient methane, but methane in the enclosed system, could that catch fire, could it cause a problem? Ms. McNemar said if you have methane in that flammable zone, it would be a concern. The monitoring system IESI has on its extraction wells, and she's not sure if it's BRE or IESI, and someone said it's their consultants. Ms. McNemar said they monitor the percentage of methane and it gets to the point of being within that zone, then they make adjustments to the system. They keep it within their criteria. Mr. Maxfield said if the system is operating correctly there are zero possibilities of things happening. Ms. McNemar said (**Could not hear Ms. McNemar**).

Mr. Maxfield asked Mr. Tomayko, are you aware of any landfills in PA that have experienced some sort of problems with the methane as far as health effects or fire effects? Mr. Tomayko said he's aware of all kinds of problems with gas management systems. He agrees with Laressa though they are designed to operate in a certain manner. There is potential for failures and equipment problems. He's seen landfills that have uncontrolled emissions of gases without the collection system that has caused evacuations of schools and nursing homes and parts of communities, but these are operations without the controls. He's seen fires because of faulty seals and broken pipes and equipment that has failed, but as Laressa said, it's an issue that is regularly monitored at landfills, not only do they monitor for the methane content, to have a fire you have to have oxygen and so they monitor for oxygen. If the mixture is rich enough, it can combust. That's what happens. That's what the purpose is of the gas collection system – to pull the gas out of the landfill, route it through a piping system to a point where it can be combusted by a flare or generator where it's producing power. These are things that need to be very conscious about operating a gas collection system. A properly designed and operating system, he doesn't see any kinds of problems. Can it? That's why we have these designs and these controls.

Mr. Russ Sutton said we had a fire on our mountain in the springtime and uniquely Steel City has one way in and out other than the Narrows. Does the Township have a contingency plan if that

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mountain catches on fire and possibly ignites the landfill? We're stuck there. There's no way to get out. Mr. Kern said let's start with the question, what are the odds of the landfill igniting with a fire on the hillside, say there is a brush fire, is that a possibility for the landfill to combust? Mr. Eric Peterson, consultant to IESI, said the way the landfill generates gas from a decomposition of waste is in an anaerobic environment with no oxygen so it produces methane and carbon dioxide and pressure builds up in the landfill and the wells that are drilled in the landfill apply a vacuum. We have a system that's under vacuum. If there are concerns what if I run over a gas well with my bulldozer and started a big fire. Because the system is under vacuum and what happens is air gets pulled in, not gas coming out. However, the pressure in the landfill because it's trying to push out and there's no oxygen there, there was a situation where there was gas and it was ignited. That can lead to some sort of a surface fire. The thought of an adjacent fire making the whole landfill going up like a bomb is not possible. The controls for the landfill gas collection safely pull the gas out. When you do have a landfill fire, it's because either there's a surface fire and you can put it out. If you operate the system incorrectly, that's why you check oxygen at the wells. You pull air down into the waste levels, you then create a condition where a fire could starve and smolder down there. The response to that is actually turn the wells off in that vicinity to cut off the supply of air. The landfill is full of methane, it's methane and CO<sub>2</sub> and no air, it's not particularly likely to catch fire.

Mr. Maxfield said he had heard that just drilling a regular water well releases a significant amount of methane, is that true, and depending on where you are. Mr. Peterson said there are a lot of sources of methane. **(Could not hear Mr. Peterson)**

Mr. Kern asked if there was another issue we should address to Mr. Tomayko before he leaves. Mr. Maxfield said he has heard and been told by an environmental engineer that landfills are one of the most regulated functions that you can have in PA for environmental standards and things like that. They are checked at multiple places, multiple times. A statement was made here at one of our public meetings that due to funding, DEP is not looking at things as closely as they used to. Do you characterize that as true or false? Mr. Tomayko said he would say false. He has been in charge of his programs that oversee landfills since 1994 and he has not seen any significant change in his staff or his duties. Mr. Maxfield said great, keep it up.

Mr. McClarin said he would like Mr. Tomayko to repeat the protocol when you smell the landfill, what the protocol is for calling you guys and how fast you should come out. Are we smelling the methane or is it the exposed trash? Mr. Tomayko said it could be both. Technically speaking, from a chemistry standpoint, methane is an odorless gas, but when we use the term methane in a landfill application, it's mixed with a lot of other gases and it's easy for us to say methane and other gases, some of them, are particularly odorous. Odors are a big deal in communities and the community right around landfills. A lot of people think that if they can smell an odor, they ought to call DEP and it's automatically a violation and the landfill is going to get fined. That's not correct at all. We go through a process in permitting a landfill and many of you have probably heard about an environmental assessment process that we look at harms and we look at benefits. The regulatory standards ultimately are for us to make a decision to issue a permit the benefits have to outweigh the harms. There are harms that are going to occur in an operation of a landfill. One of the biggest harms is odors. They are handling garbage. They are handling decomposing rotting garbage and inherent with that, there are odors. So, every time they go to the landfill, and everybody goes to the landfill, you can smell odors. For you to expect DEP to be called in and say can you smell an odor in a landfill, it's kind of a misnomer. Of course, you can, it's garbage, it's rotting garbage. The problem is, is this odor getting off of the property and disrupting the community and causing a public nuisance. That's kind of the standards. If a community is being disrupted, that's a type of violation. It's called a public nuisance. It's not a private problem. It's not an individual problem. It's affecting the community and we need to verify that for it to be determined to be a public nuisance. The other thing that is very interesting is that if we are getting odors off the property, we want to hear about it, we want to know about it because there are lots of things, and we can go on long time tonight, on operating practices for the landfill to minimize and

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control those odors. As part of the permit for every landfill including IESI, plans on how they conduct their operation to minimize odors from occurring. We can inspect those protocols, those procedures they use, and if IESI is found not to be employing their protocol for minimizing odors, that can be a violation. Just the fact that a person can smell an odor and reports it and DEP can confirm it, doesn't automatically mean that they are going to get a fine or there's some major problem. What it does involve is investigation because the actual standard in the regulation is to minimize and control odors. It's very complicated, but hopefully he's explained it as clear as he could. Mr. McClarin said from a neighborhood standpoint, he's lived there four or five years, and the last couple of months, he started smelling, big time, the landfill. It's not very often, it's not every day, but it seems to be getting more frequent, and he wanted to let IESI know that and if something could be done about it. He knows a lot of time the wind does blow from east to west, but when it blows east, it's ugly. It's ugly for a lot of their neighbors and he wants to know if there are any controls being put in place for that. Mr. Donato said back in February, it was brought to their attention, the following day he and other employees put in a plan. They went out to Steel City on a regular basis, different times during the day. To date, they have only found two odors, and they were from burn barrels and wood burning stoves. They had not been able to detect any other odors and they have been doing this since February. Mr. McClarin said just last Saturday he woke up at 5 AM, beautiful day outside, opened his front door, and got a blast of landfill air in his face. It's there. A lot of other people smell it and they are going to call DEP, so you'd better control it. Mr. Donato said they have controls in place, and did not detect an odor. If they did, they would identify the source and correct it. That's what they do. If someone does detect it, give them a call so they can go and investigate it.

Ms. Molly Ferraira said she lives a block away from the playground. What needs to be done smell-wise is you need to come down as the smell is not the landfill you are smelling sometimes, as your front door faces the river. There's a mulch pile over in Freemansburg that we occasionally get the smell from there. If the wind is blowing just right, we also get the smell from the water treatment plant. She's lived there 30 years and never smelled the landfill. She's smelled it maybe two times when she was actually over on Applebutter Road going to her sister's house. She has to say, she has never noticed a problem with air quality. If you are going to check it, check where else it could be coming from. Mr. Kern said there's also a paint shop when he was doing his own personal odor patrol, and there were paint odors. Mr. McClarin said he knows where that smell is coming from. All of the people on top of Mixsell know the same kind of smell he's talking about. Mr. Kern said the suggestion is to report it and then it will be investigated.

Mr. Walter Zagwoski, 2094 Ivywood Avenue, said the first time she ever smelled the dump was today coming down Applebutter Road and smelled it pretty good. He doesn't want to smell it over at his house. He has a lot of money invested in his house and he doesn't want to lose it over a stink. He hears all the concerns about the leachate. He's concerned about when BP drilled their well and they couldn't stop it. If this leachate blows out, do we have a plan to stop it. Does DEP know how to stop it? Does anybody know how to stop it? How deadly is it once it goes out? Once the line blows apart, the sewer plant shuts down, we got leachate going down Applebutter Road, and busses go there. There are a lot of factors involved. Nobody knows what is going to happen if the leachate starts leaching and we can't stop it, unless DEP has a plan, which BP had a good plan to stop that oil well and it took a long time to clean that up and stop it. He doesn't know if there are any plans set up or what. Mr. Kern said were you here earlier for the leachate discussion? Mr. Zagwoski said yes, he didn't get a chance to get up here, but the whole system between the air, the water, the leachate, every part of it is a problem. Do we have controls? You are talking about the gas. If the monitor wells don't work properly, the gas can catch on fire, or it can do this, or it can do that. If it happens, are we ready for it? Is the dump ready for it? Is DEP ready for it? Is the Township ready for it? An evacuation plan? Do we have anything set up for any of this stuff? BP had no plans and they got in a lot of trouble with their gas/oil well. Mr. Kern said we had a very lengthy discussion here tonight that covered every one of those topics, so what specifically do you want to know? Mr. Zagwoski said he just wants to know if we have any plans

set up if any of those plans fail? Mr. Kern said do we have any catastrophic plans? What if the landfill suddenly ignites? Mr. Zagwoski said he's more worried about the leachate. The burning part is easy. Mr. Kern said we are going to talk about the leachate again. What plans are in effect in case of leachate? Mr. Birdsall said IESI under the state regulations is required to have a pollution prevention and emergency response plan. They do and they update it regularly. There's protocol of what they go through so everyone in the employ of IESI knows what that book says and who is in chain of command for emergencies. That includes outside agencies as the fire company and DEP if there's an emergency. There's that basic plan. Above and beyond that, for some specifics, if there's a failure of a pipe or any system in getting the leachate to the treatment plant, IESI has a backup plan which consists of storage tanks - minimum size storage tanks that are required by DEP as a back-up facility for emergency for leachate. Above and beyond that, in this particular case, IESI not only has a storage tank, they have basins that can be used in an emergency or non-emergency to collect the leachate before it leaves the site. Would the leachate then have to be taken care of? Yes, but at least there would be some time to get the City of Bethlehem system back into line or a pipe repaired along Applebutter Road or the pump station along Applebutter Road repaired. There would be two or three days to get that system back operating. They also have a backup, or at least they did originally, to pump it into a truck and taking the leachate to the City of Allentown treatment plant. There are several backups for leachate. As far as the leachate leaving the site, he thinks we've heard the various secondary systems that are in place if something starts to leak out from beneath the liner, there will be identification pretty rapidly. Mr. Zagwoski said it seems like they are trying to fix the one problem as one part of the landfill is leaking underneath the liner and they've been working on it for some years and they can't fix that and can't figure out how the water is getting in between. They think it's stormwater, they think it's this. He doesn't hear definite solutions or answers. They are trying to contain everything on site, which is great, but there's got to be failures. There are always failures of everything. He doesn't know if we can handle these types of failures. He doesn't know if we want to handle these failures 50 years from now. We don't know what the failures are going to be. It's going to get worse. The more garbage we put in the more problems we are going to have. They said 90% of the garbage is household garbage and that doesn't seem to concern them. That 10% must be pretty bad. They say 90% is all household and they do all this testing to make sure it's okay to go into the landfill, he doesn't know how much more you are bringing in there of bad products or asbestos and all your other stuff. You get it tested and you get it analyzed, but he's just worried about the after effect in 50 years from now. Mr. Kern said he's been listening like everyone else, but from his understanding from the information tonight, it's not a matter of getting worse, he thinks it gets better over time because there's no gas emissions and no leachate problems and it doesn't get worse. Mr. Zagwoski said DEP said it's going to last 30 to 50 years. Didn't you say that methane gas making and decomposing for 30 to 50 years after its sealed? Nobody knows. Mr. Kern said did you hear the rest of it? It continues, but it's a graph like this and it flattens out at the bottom. That level of methane after capping is, from what he understood, a fairly low level. Is that accurate? Mr. Tomayko said what he said was the most gas that's being generated and the most leachate that is being generated is during the active operational period of the landfill. Once the landfill closes and is capped, the rate of generation of both leachate and gas drops off significantly, but does not end. Mr. Zagwoski said that's the part he's concerned about, the end. Mr. Tomayko said the landfill will stay there forever. Mr. Bodner said in terms of storage, at IESI the leachate is removed from the liner system and conveyed directly to the City of Bethlehem waste water treatment plant. The regulations require and Bethlehem has on site, storage and a tank, if for any reason it can't be discharged. The quantity of leachate we are able to store is 30 days of leachate.

Mr. Kern asked if anyone had any specific questions for Mr. Tomayko. Mr. Boyer said Mr. Birdsall was at a council meeting earlier and he heard him talk about some of the review of the permit for IESI going forward and that the permit is normally a ten year permit and he had made some kind of request if DEP would consider a five year permit length of term as a situation where the landfill at this point today will probably expire within four or five years based on their figures that they have, and then have to come back to renew or reevaluate if it goes forward, based on

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today's situation that it's not expanding at this point. Mr. Tomayko said state regulations for landfills say that we cannot issue a permit for more than ten years, or maximum of ten years. It provides for a process to renew a permit. IESI is going through this process right now. Part of the process involves informing the Township that we have the application and that we have given the Township the opportunity to give comment to the DEP for our consideration and review. That is what has been done. He is aware that the Township has said that if IESI were to operate at their maximum daily waste intake limits, the landfill would be exhausted of its capacity in five years. So therefore, DEP should limit the landfill to five years. He's going to consider that kind of comment, but in this point in time, he doesn't know if he's going to give it a whole lot of weight in their decision as landfills do not operate at their maximum limits. There are a lot of things that can happen. The landfill will still be a landfill regardless of when they stop taking waste as he's already started tonight; it's going to be a landfill forever. They are still going to have operating requirements to collect leachate and manage gas. We have specific controls on how much waste can be put into the landfill. The permit term issue is not necessarily geared towards that kind of control. Setting a shorter term doesn't...Mr. Boyer interrupted and said he appreciates your comment and appreciates the fact that you say would consider it but would not throw a lot of weight to it. What he heard is it would somewhat be a renewal in a sense of evaluating what's happening in five years and not having to look at it from now until another ten years. Mr. Tomayko said he understands and will talk to the Township about it.

Mr. McClarin said when it comes to local regulations on zoning, does the landfill have to follow those regulations or is it followed what DEP says? Mrs. deLeon said we have our own regs. Mr. McClarin said he wants to hear what DEP says. Mr. Tomayko said DEP implements DEP regulations and State regulations. He has no authority to implement or oversee local laws and ordinances. That's the job of your Township. His regulations are separate and distinct from Township regulations. Mr. Maxfield said we generally make sure they don't conflict.

Mr. Tomayko left the meeting.

Mr. Bob Wells, Saucon Avenue, said he knows that IESI is doing the best that they can do to make sure they are doing things the right way and he's sure the Council is doing everything they can to make sure they are doing things the right way. It's not a perfect world. He appreciates your explanation of the bowl with the jelly and the saran wrap, but that's some nasty jelly. If it were in a Petrie dish and if it leaked out of there, we could kind of monitor the Petrie dish, you could be certain what might be leaking there, but there's a lot of uncertainty here. The earth moves, and from his perspective, here's some of the things he's hearing with uncertainty. Does the liner system work? No one wants to answer that question definitively. The liner can be damaged during installation or filling operations. The performance criteria is there is assuming no damage to that liner during filling operations. The leachate detection system may not detect at all. There's more than stormwater going down there. That was about Phase III. There's no straight answer. Another quote was there is a malfunction or abnormality. Another quote was something can change in the future, yes. Another quote was monitors were placed mostly like where water is to flow and that there are potentials for failure in equipment problems. Everyone in this room is concerned about that. It's all the uncertainty that we're unsure of. Of what can happen. What is possible to happen in the existing situation much less the situation that might exist in the future. It's based on that uncertainty, there's some kind of bonds, is he correct? There are resources held in case we have to do something? Mr. Kern said that's fair to say. Mr. Wells said is it available to the public what that bond is, where it's held and how that's managed. Mr. Kern said yes. Mr. Wells said if you read the paper the other day, Illinois had a huge amount of money and supposedly, it was supposed to fund their Medicare and social security systems and that money disappeared. They invested it in a way the money was no longer available and now they are asking the Federal Government for help to come up with resources to pay all these people that were supposed to be taken care of that won't. His concern would be that sometime in the future, if there's a bond there, where is that? How is it managed and are those resources going to be there if we need it? We are going to assume they will

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be there because of the uncertainty of this. We hope they never do, but the people that would be most affected would be the people in this room. Mr. Kern said let's ask about the bond. Mr. Bodner said there is a very regimented procedure that DEP has established for the bond to be posted. It covers all aspects of closure of a landfill. Closure means putting a cap on the landfill. Making sure the monitoring wells work, the leachate system, the conveyance system in place, all the things you would need to do to close the landfill. There are worksheets that one goes in to complete the compilation of that bond. Then you go to the post closure bond which is money required after you capped it to manage the gas, manage the leachate, monitor the wells, maintain the stormwater management system, the sediment basins. There are worksheets one goes through to complete those costs. Then there are multipliers that the worksheets have to be put on top of all those. Multipliers for inflation; multipliers for the acreage of stormwater or the thousands of stormwater ditches trigger different multipliers. In the end you end up with a bond amount that has to be funded. DEP holds the bond in Harrisburg and it's for many millions of dollars, he doesn't remember what it is, but it's millions. It cannot be released until and unless they filled all the obligations of closure. You are obligated to maintain the post closure funding until such time as that landfill doesn't need any more maintenance. Mr. Wells said sometimes when these funds are put into place, we assume we will need a certain amount of resources at a date in the future in order to meet any need and sometimes the amount of funds that are put in these account today assume we are going to have an interest rate over time that will in effect give us the resources we need 10 to 20 years from now. Do we have an interest rate we expect will be occurring between now and 20 years from now we are depending on to have those resources available, does anyone know what that is? Mr. Bodner said we don't say we'll give you \$100 today and it will make 8% per year, so 30 years from now you'll have \$428. You have to put up the full \$428.

Mr. Gene Boyer said basically from IESI that we all seem to know there's not 100% in anything. He heard a lot of comments of how the landfill was put up and how the landfill puts down their system for capturing all this. How many acres are still ready to be worked or not lined yet in the landfill? How much of the landfill is yet to be used or filled up without a liner? Mr. Bodner said ballpark plus or minus ten acres. Mr. Boyer said the rest of it has the liner in it. The process as he understands it as after the liner was put down, the first load of trucks come in, you people almost examine because you don't want anything to pierce the liners? Mr. Bodner said that's the fluffing. Mr. Boyer said how much of the acreage is in that environment? Mr. Bodner said with strictly fluffing on it, maybe an acre. Mr. Boyer said how many people do the fluffing? The trucks are huge when they come there. Are there a lot of people who go through that individual trash or is the truck just hopefully fluffed because it's from a certain area? Mr. Bodner said the truck doesn't dump down on that gravel that he talked about. The truck discards its load upon other trash, 10', 15', 20' above. Then the dozer or compactor pushes that load down and our inspectors who are watching that waste as it's moving down towards the gravel layer, and those inspectors are observing and watching for material that shouldn't be there and signal the operator to stop and remove that material. Maybe they see a 2'x4' – something that could get vertical and jeopardize the liner. Mr. Boyer said maybe it looks obvious that it could be a potential problem and the fact that it could do some harm. Are there a lot of people who do that? Mr. Bodner said normally just two people doing that as you are just pushing it down a little at a time.

Mr. Kern said what haven't we covered? Mr. Birdsall said we have worked our way through the other sections pretty well. The others were groundwater and operating concerns by order of odor and blasting. The one thing we haven't hit upon is noise. That's not regulated by DEP, and it is somewhat regulated by the Township under its zoning ordinance, but the noise levels in the Township ordinance are pretty high in the industrial zone so he doesn't know that we can really say that they've violated the zoning ordinance which is so many decibels and we are talking about offsite. The other situation in the zoning ordinance is certain noises are exempted and one is called construction operations including occasional use of explosives infrastructure. They are really exempted from construction equipment that they have and that's what we are aware of as far as noise. The other things we wanted to touch upon were the relationship between residents, IESI and

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the Township and what the different roles are. That's been pretty well explained. Jack and the Township is always here to receive complaints. We can help at Jack's direction if there is anything Hanover can jump on. The primary responsibility is DEP, so we would go to DEP if we see a problem. Also, the residents can go to DEP.

Mr. Kern asked if anyone has any questions or comments? Mrs. deLeon said she has a question about air quality. She thinks it was in July or August inspection report, she read there were a lot of air quality inspections. There were like three of them in one month. She asked Jim if he ever found out why? Mr. Schleyer said they don't really need a reason why to come out. DEP shows up at their door any given day, any given moment. They have air quality come out. One reason is we are in the long process to get a new permit renewal for the air quality permit. They come out and they'll do field surveys to back up what our consultants are doing. They do surface monitoring and they also inspect all of IESI's record. They go through the verbage line by line and ask for documentation. They go through their files and pull documentation. These are the kind of controls and people you want working for you in the state. They do their job as best as they can and make sure IESI is doing their job. Mrs. deLeon said are you hinting the permit shield may be lifted? She said she is just teasing. Any copies, do they do reports? She doesn't recall receiving an air quality inspection report for those times. Do they not report back to Bill? Do they just show up and not write anything? Mr. Schleyer said they did provide an inspection report. If the Township did not get an inspection report from air quality, he can send them a copy. Mrs. deLeon asked if the Township recalls getting one? There were three dates listed on the report. She asked Mr. Schleyer to send the three different reports to the Township. Mr. Schleyer said he would.

Mr. Maxfield said he wanted to thank everyone for coming tonight. He does find it a little odd that Council is finding out about some of these things at such a late notice. He would really appreciate as a Councilman knowing about what the Landfill Committee considers a problem a lot earlier than he has, other than the occasional letter. We get reports from DEP inspections and they keep saying no problem, no problem. If you really think it's a problem, we should know. Part of what he was missing as we went into the Planning Commission meeting, listening to residents' complaints, was a priority system of seriousness to non-seriousness. Do we have a flat tire or is an engine going to blow out in a car? He wants a real serious evaluation of the problem when he hears about it. Is this going to affect people's drinking water? He wants an answer for these people when they have a question. He really would appreciate hearing about it more so and he thinks the other Councilmen would too.

Mrs. deLeon said we have repeatedly sent letters to DEP regarding the leachate. Mr. Maxfield said when an occasional letter goes out, the problem's been there for awhile. We need to hear about it right away. Mrs. deLeon said we've been telling you for ten years that this has been an issue. Mr. Maxfield said and tonight we heard about how serious an issue it was. Mrs. deLeon said yes, she thinks Bill said zero. Does everyone remember that? That issue was a zero. She disagrees, but she's only a resident here, elected, to give her opinion.

Mr. Ernest Stavrovsky said you are talking about the water. Back in 1987, Steel City did get a water system in because of contaminated wells. He has a well on his property that was contaminated and from what they were told at the time when they did the testing, that likely culprit at the time, and IESI wasn't there, Bethlehem Landfill was there, and they attributed the contaminants in his water to the landfill above us. He's down about maybe three blocks before the hill climb. So he's down in the lower section at river level, maybe about 30' above that. They did have contaminants in their well and he no longer uses that well. There are some people that elected not to hook up to the City of Bethlehem water, so their were contaminants down there. What they were told back then and this is 1987, that we had contaminants from the landfill, but it was probably from the earlier landfill, so should testing be done down in that area. He knows they did the geological studies and everything else that says no water is flowing that way, but this is what they told us before. He probably doesn't have any of that paperwork anymore. You talked about

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water, it is a concern. Mr. Maxfield said back when the pollution problem were first detected, weren't there many more wells at one time that were being monitored, which have since become decommissioned because of the lack of evidence in the wells? Mr. Sichler said there are many, many wells that have been installed in or phased out or the landfill has grown over the wells. A lot of time you put in a series of wells and look at the results for years, and then after a number of years you say that well just didn't hit the right location that we had planned, you just can't predict. There's a number of reasons that well has been phased out or replaced or new wells relocated in better locations as our knowledge base expands on the condition. As many as that far away in Steel City, no specific wells that he's aware of. Mrs. deLeon said she knows over the years, TW-9 is on the eastern border of the landfill and show the highest levels of Chlorobenzene and they did commission that and never tested it again. When they put in a replacement well, they put in the opposite. Instead of putting in the same of either it was up gradient or down gradient, they put the opposite in so when the data started coming in you couldn't compare it because you were comparing apples to oranges. MP-5 was accidentally run over by a backhoe. This was years ago and it was one of the terrible wells. Well, no more data. That was the City of Bethlehem. There was a BL well somewhere down in the northeast corner, so there have been issues. For those of you who really want to know more about the landfill, you can go on our website and click on "Landfill" and you will see monthly status reports, DEP inspection reports, that's all there. We are waiting for the August one which they haven't released yet. We meet quarterly and we take questions back from our quarterly meetings and she knows AI has been responsive to answering our concerns. It's not like we aren't doing anything. We're trying and these reports are copied to the Council. If you have any questions, she's on the Landfill Committee and she'd be more than happy to answer any of them or direct you to somebody that can.

Mr. Kern thanked all the consultants, IESI and the residents for attending tonight.

Mr. Kern said he would like to take a brief recess. The time was 10:57 PM.  
Council reconvened. The time was 11:04 PM.

**B. IESI PERMIT RENEWAL APPLICATION COMMENTS**

Mr. Kern said Township Landfill Engineer Jim Birdsall would like to review the comments prepared by the Township Landfill Committee following their review of the IESI Bethlehem Landfill Permit Renewal Application.

Mr. Birdsall thanked Council for allowing them to have another two weeks to look at this application and for Mr. Maxfield pointing out the gross error of missing the remaining operating space issue. They have simplified that section and addressed the issue that needs to be addressed which is not a problem with how IESI calculated it, the remaining landfill time, but what it means to Council as to the methodology used according to the DEP protocol and he would like Rick to mention what it means in real terms remaining landfill life if the heavy density they got this year is not achieved every year. He thinks he would ask if there are any questions on the revised letter, but they are ready to ask that you send this on to DEP.

Mrs. deLeon said she has been contacted by a resident that the trucks are still using Lower Saucon Road to enter the landfill. She asked the person to pay attention to the color of the truck or the time of day so that we can see when or who is driving that way as they aren't supposed to. She's just passing that along and letting Council know that's still an issue coming in from Lower Saucon Road. Mr. Donato said the other day they contacted that customer and notified them that they should use 412 and Shimersville Road. They told the truck driver someone was complaining about the traffic on 412 and his comeback was he has a collection route in that area. Mr. Donato said fine, that's acceptable, but it's not the designated route. Mrs. deLeon said there's been a lot of talk recently about the road that accesses the groundwater monitoring wells on the north slope. She

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doesn't ever recall seeing it on a map. Does anybody know if it was ever depicted on a map? Mr. Birdsall said it is depicted on a map as an existing feature. It was always shown the same as little dotted lines going behind the maintenance building. It was never designed or designated as a DEP approved access driveway and so that comment is still in the letter. Mrs. deLeon said she doesn't have a problem with it being in the letter, what she'd like to do is add it to the second to last page where it shows the permit boundary that it should be more clearly marked on maps so they know it's there. It accesses the wells. Mr. Schleyer said they have modified the section by the maintenance building. Chris has been down there to see the new section. Mrs. deLeon said her issue is when she was up at the landfill after Ivan, it just so happened there were DEP people there and no disrespect to DEP, but they said they had toured the site and they had marked the damage. She said what about the north slope road. They looked at her and didn't even know there was a North Slope road because it wasn't on any map. Laressa was there that day. Mr. Schleyer said it is monitored and at least quarterly DEP goes down there for groundwater monitoring. They are well aware of it. Mrs. deLeon said would it hurt to put it on this list. The people that are there today, yes, but she was there and witnessed that they didn't know that road existed. When we toured it, there were trees down and a lot of damage. Does anyone have a problem with her adding that? Mr. Birdsall said if you want to move in that direction, some of the basic features that are shown on every map include access driveways or whatever terminology DEP uses. Mrs. deLeon said it's much more clearer.

Mr. Willard said we have the revised letter dated September 28 and then we received a letter dated October 1<sup>st</sup> addressed to Jack with comments on the comments from IESI. What's the normal protocol? Do we file our comments officially and then they file their comments officially? Mr. Birdsall said protocol is we file ours to DEP. DEP will eventually get, and maybe they already have, a copy of Martin & Martin responses. DEP will be the arbiter.

Mr. Kern asked if IESI had any comment on the letter? Mr. Bodner said not other than those that they put in their October 1<sup>st</sup> letter.

**MOTION BY:** Mrs. deLeon moved to send Hanover's revised letter dated September 28, 2012 to DEP.

**SECOND BY:** Mr. Willard

Mr. Kern asked if anyone had any comments. Mrs. deLeon said the comments that Jim has in his letter on the first part, the annual report, do these conflict with what was in the annual report? Mr. Birdsall said no, they are the same as what's in the annual report. As a reader of the report, it's hard to realize that actually it doesn't mean there's not much life left if you use normal densities and Rick's explanation is very good in his attachment as to the effect that it could be much less than the 5.8 years.

**ROLL CALL:** 5-0

**C. KINGSTON PARK UPDATE**

Mr. Kern said the Manager and Planner will update Council on the lighting plan options, cost of the pavilion, and the color recommendations for the composting toilet.

Ms. Stern-Goldstein said they have the total cost for the pavilion for a total of \$19,628.00. It's a 20'x30' that they have looked at a couple of times. There was a recommendation from staff and Jack put it together and reflects the collected opinion of all of us. The PPL lighting is less expensive. They will not be able to control when they are turning that light on and off. It will be on from dawn to dusk which means Fran Robb will not be able to control the light from the schoolhouse or from the composting toilet. Mr. Horiszny said not only that, but it would run 365 days a year for the four or five nights we might use the place. Mr. Cahalan said the composting toilet in the park, it's going to be there at night. Even though the park is closed, someone may stop in and want to use the restroom like they do in Southeastern Park. There's a similar light there that's on. Ms. Stern-Goldstein said right now on the plans that are submitted to DCNR, we would

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need to change it to the PPL fixture. It's not a major change. Mr. Horiszny said would it be possible to have a light on the composting toilet that would either be sensor operated or if it had to be on 365 days have it on there instead of having to light the whole park. Mr. Cahalan said the idea for this was to cut down on the other lights that were in the previous plan. Ms. Stern-Goldstein said that was to get people safely from the schoolhouse to the parking lot and the composting toilet. PPL would be one light closer to the toilet. Mr. Maxfield said he does not like the idea of a light being on all the time, especially if he was a resident on Limpar Lane looking over the parking lot and the light was on all the time. Even though it costs a little bit more, he'd still like to have more control. Unlike Steel City, which is relatively small urban area, this is out in the middle of nowhere. Mr. Horiszny said it's too much overkill. Mr. Maxfield said plus there are street lights, if he's not mistaken, out on Applebutter Road which will probably light up some of the park. He's pretty sure there are as there's the overpass, so we might be able to rely on some of that for ambient light. Ms. Stern-Goldstein said there is ambient light in the park as she did take a look out there at night. Mr. Horiszny said will the composting toilet have a porch light on it? Mr. Cahalan said it's just interior lights, but nothing on the exterior. Mr. Horiszny said with a bollard and a light on the composting toilet, would that pretty much do the same as what we're doing with an extra high pole? Ms. Stern-Goldstein said no. It would be good for the purpose of over lighting, but it wouldn't get the people safely from the schoolhouse to the composting toilet as to the parking lot and that's where they will be parking for events. The idea was we don't want people walking in the dark and falling. Mr. Maxfield said if we put bollards and a light that's not on all the time, can we have them triggered off by a motion sensor? Mr. Cahalan said if you want to go with the Hadco lighting, we can have the controls for that and the bollard located in the closet of the composting toilet. With that one, Fran can turn them on and off when there's an event. It was the PPL option that didn't have the controls. It just was on and off. If you went with the Hadco light and the one bollard, then we would have the controls for that to turn it on and off as needed. We are going with one street lamp and one bollard in the tree line. Mr. Horiszny said could there be a three bollard option? Mr. Cahalan said he thinks the Historical Society agreed with Judy that it wouldn't be necessary to have three. It was just one in the tree line. Mr. Horiszny said he thought they liked Judy's idea. Ms. Stern-Goldstein said they weren't shedding as much light. Mr. Cahalan said it was the PPL one, he stands corrected then. He doesn't think we have that cost reflected here. Ms. Stern-Goldstein said that would be times 3 on the bollard so we'd be adding \$1,900.00. Mr. Horiszny said it would also be eliminating either 16 or 15 or 17, the three PPL lights as we wouldn't have them. Mr. Cahalan said right, one PPL light. Mr. Maxfield said it would be \$2,000.00 more. Mr. Willard said for the price comparisons, it looks like the PPL ones are wrong. It looks like the 11' should be \$1,100.00 and the 14' should be \$1,600.00. Ms. Stern-Goldstein said it was a different column, so the prices are correct. Mr. Horiszny said the comparison in actuality; you are going to have the one bollard anyway, so the difference is two bollards versus one PPL light. You are talking \$1,898.00 for two bollards versus either \$1,189, \$1,185, \$1,674, \$1,670, \$1,722 or \$1,718. Is that not right? Ms. Stern-Goldstein said no. Mr. Horiszny said the two bollards is the difference. You are still going to have one bollard, the Hadco light, so don't even consider those in the comparison as they are there even if you add a PPL light. If you don't add a PPL light, you are going to save one of those PPL numbers versus adding the two bollards at \$1,898.00. Ms. Stern-Goldstein said we have to add in the electrician for the PPL light, which was \$800.00 to go in, which was their estimate. Mr. Kern said if you put a light on the composting toilet, does that help or matter? Ms. Stern-Goldstein said it doesn't do anything. Mr. Cahalan said it will only light up the outside of the composting toilet. Ms. Stern-Goldstein said they could put a residential shield on it. It will need to be adjusted. Mr. Maxfield said there was a bulb difference.

- MOTION BY:** Mr. Horiszny moved for approval to use a three bollard light option and no PPL light on a big, high post.
- SECOND BY:** Mr. Maxfield
- Mr. Kern asked if anyone had any comments. No one raised their hand.
- ROLL CALL:** 5-0

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Mr. Cahalan said he'd like a motion on the pavilion for those costs that are specified so we can move ahead with that.

**MOTION BY:** Mr. Maxfield moved for approval of the pavilion costs which total \$19,628.00.  
**SECOND BY:** Mr. Horiszny  
Mr. Kern asked if anyone had any comments. No one raised their hand.  
**ROLL CALL:** 5-0

Mr. Cahalan said he'd like to talk about the colors of the composting toilet. Ms. Stern-Goldstein went over the colors of the composting toilets interior and exterior with Council. Council went with the colors recommended by the Historical Society for the composting toilet.

**D. UPDATE ON REPAIRS TO OLD MILL BRIDGE**

Mr. Kern said the Township Manager and Engineer will update Council on the repairs scheduled for the bridge. The Township has received a cost proposal from the contractor for the steel posts and additional stonework which the Manager will review with Council.

Mr. Miller said we have a proposal from the contractor to replace the posts. There are two decorative posts. Roger is okay with that, but he wanted to look into what all four posts would be. Mr. Kern said the pipe postings we are already replacing the decorative posts at some point in the history and the pipe posts are just pipes. Mr. Miller said the manufactured posts will not necessarily be completely identical to the decorative ones. Mr. Maxfield said what type of metal process are they going to use? Are they going to lathe it or are they going to cast? Mr. Miller said he doesn't think it's going to be cast. Mr. Kern said the original posts are cast iron. Mr. Maxfield said we should specify to the contractor that we would like to keep the decorative posts as an example in our archives. Mr. Miller said that is your option. Mr. Kern said what is wrong with these posts? Mr. Miller said nothing. The problem is they are trying to duplicate that. Mr. Kern said he would keep these as you don't want to lose the integrity of the original structure then duplicate these crummy ones as best as you can and they'll look like these. Do not lose those. Mr. Horiszny said treated lumber? Mr. Miller said yes. Mr. Cahalan said you have two of the wooden posts that you are asking them to approve and there is no additional cost. Ms. Huhn said that's what was bid. Mr. Cahalan said we don't need approval then.

**VI. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF SEPTEMBER 19, 2012 MINUTES**

Mr. Kern said the minutes of the September 19, 2012 Council meeting have been prepared and are ready for Council's review and approval.

Mr. Horiszny said page 23, line 46, Tom made a motion for the approval of the Kunsman bid and the number in there says \$1,600.00 and he thinks we probably need to be accurate, it has to be \$1,625 or 48 or something, don't we need the exact number? Mr. Cahalan said yes. Mr. Horiszny said we need to add the word "bid" after the \$1,600.00 because it will make more sense.

**MOTION BY:** Mrs. deLeon moved for approval of September 19, 2012 minutes, with corrections.  
**SECOND BY:** Mr. Maxfield  
Mr. Kern asked if anyone had any comments? No one raised their hand.  
**ROLL CALL:** 4-1 (Mr. Horiszny – No)

**V. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS – None**

**VI. COUNCIL AND STAFF REPORTS**

A. **TOWNSHIP MANAGER** – No report

B. **COUNCIL**

**Mr. Maxfield** – No report

**Mr. Willard**

➤ He said thanks to whoever prepared this, Jack and Leslie and Cathy – this being the fire company issue booklet, for the record.

**Mr. Horiszny**

➤ He said the Historical Society had a very successful Apple Fest on Saturday. About 250 people attended. Last night in this location we had a Bethlehem Steel archives presentation which was also quite successful, with about 50 to 55 people in attendance.

**Mr. Kern** – No report

**Mrs. deLeon** – No report

C. **SOLICITOR** – No report

D. **ENGINEER** – No report

E. **PLANNER** – No report

**VII. ADJOURNMENT**

**MOTION BY:** Mr. Willard moved for adjournment. The time was 11:42 p.m.

**SECOND BY:** Mr. Maxfield

Mr. Kern asked if anyone had any questions? No one raised their hand.

**ROLL CALL:** 5-0

Submitted by:

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Jack Cahalan  
Township Manager

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Glenn C. Kern  
President of Council